

**MANAGEMENT AUDIT OF THE  
PERMIT PROCESSING, BUILDING INSPECTION, AND  
CODE ENFORCEMENT FUNCTIONS IN THE  
CITY OF OAKLAND**

**Prepared for the City Council of the  
City of Oakland**

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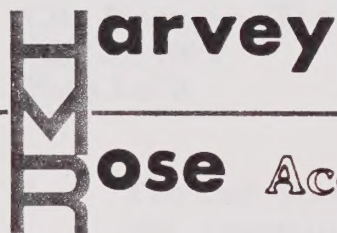
**UNIVERSITY OF CALIFORNIA**

**Harvey M. Rose Accountancy Corporation  
Certified Public Accountants**

**July 1991**







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July 25, 1991

Mr. Henry Gardner  
City Manager  
City of Oakland  
475 14th Street, 9th Floor  
Oakland, California 94612

Dear Mr. Gardner:

We are pleased to present this Management Audit of the Permit Processing, Construction Inspection, and Code Enforcement Functions in the City of Oakland. This report includes a review of the operations of six City departments assigned these responsibilities, with major emphasis on evaluating the organization and the effectiveness of the services which are provided.

Included in the report are eleven findings on the topics of organization, customer service, management and supervision, training, data processing, zoning and building permit processing, construction inspection, the enforcement of the Tree Preservation Ordinance, and code enforcement. These findings identify approximately \$315,000 in additional City revenue which could be collected through more aggressive code enforcement activities and the adjustment of certain permit fees. Additionally, the City could potentially save considerable data processing consultant and staff costs by re-directing efforts to develop the Permit Tracking System used by some of the departments.

As requested by the ad hoc committee of the City Council which provided guidance during this study, the focus of this report is on improving customer services and the effectiveness of the subject City programs. The result of this effort has been to identify several areas where we believe additional expenditures by the City are necessary to accomplish these objectives. These areas of increased costs include:





- The cost of administrative and customer assurance personnel to implement the reorganization proposal included in this report, estimated to be approximately \$350,000 to \$400,000 annually.
- The cost to implement a City-wide citizen complaint tracking and processing system within the library, estimated to be \$400,000 annually.
- The cost to implement an expanded supervisory and customer service training program. As recommended in this report, such a program would initially have a low cost. However, as the City expands its training commitment, such costs could increase considerably.

The departments have been aware of many of the issues discussed in this report, and in many instances have made significant efforts to improve services. We have summarized many department accomplishments in the Introduction and within the body of the report, when appropriate.

It should be recognized that many of these department accomplishments have occurred during a period of great difficulty for the City of Oakland. Since October 1989, the City has had to deal with major staff relocation and service delivery issues since City Hall was closed due to the earthquake. Repercussions from the earthquake are still felt by many of the departments subject to this study as each copes with workload generated by unsafe buildings. We recognize the effect of the earthquake on the departments, and throughout the study we considered this effect when conducting our analyses.

Further, this study was performed between February and July 1991. In March 1991, several of the departments were again relocated due to a fire at 1330 Broadway. Consequently, we were unable to observe "normal" operations for these departments and recognize the impact of this fire on evaluating services. As an example, in one finding we note that telephone requests for general information were fifty percent of all calls received by one department during a sample period which occurred immediately after relocation. In this instance, it is probable that a higher than normal level of general information requests (such as, "Where is the department located?") may have occurred during this period due to the relocation of services.

We recognize that the proposed reorganization of services contained in this report could be controversial, and that the final organization of services adopted by the City Council could differ somewhat from what has been recommended. Although we believe the entire proposed reorganization is justified, the minimum reorganization which we believe is necessary includes the integration of fragmented code enforcement services into a consolidated department which has a clear mission of enforcing the City's property related codes.

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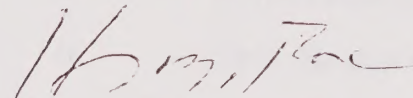


Mr. Henry Gardner  
City Manager, City of Oakland  
July 25, 1991  
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We also believe it is essential to emphasize to the City Council and City Manager that this report reached well beyond organizational issues, to the very fabric of the way in which the departments presently provide services. Although we believe that services could best be improved by merging like responsibilities under a single administrator, all of the recommendations related to customer service, management and supervision, training, data systems, permit processing, construction inspection, and code enforcement can be implemented without consolidation. If the reorganization proposal is not adopted by the City Council, it is critical that a coordinated process be established by the City Manager for consistent application of recommendations which cross department lines.

We would like to thank the Mayor, City Council, and your office for the opportunity to have performed this management audit, and for your contributions to the study. Our staff is available to present this report to the City Council at your request.

Respectfully submitted,



Harvey M. Rose, CPA  
President





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## EXECUTIVE SUMMARY

The Harvey M. Rose Accountancy Corporation Certified Public Accountants is pleased to present this Management Audit of the Permit Processing, Construction Inspection, and Code Enforcement Functions in the City of Oakland. This management audit was requested in December 1990 by the City Council under its power of inquiry, as provided in Section 218 of the Charter of the City of Oakland.

### Purpose and Scope

The purpose of the management audit has been to examine the efficiency and effectiveness of the current programs for providing these services, with an emphasis on evaluating the organization of functions and improving customer services. This study included the review of six operating departments, including:

- The Department of City Planning, Development Controls Division;
- The Office of Public Works, Development Services Department;
- The Office of Community Development, Housing Conservation Section;
- The Fire Department, Fire Prevention Bureau;
- The Office of Parks and Recreation, Tree Services Section; and
- The Police Department, Abandoned Vehicle Abatement Section.

City Attorney activities related to legislative and legal advisory services, as well as legal representation of these departments in litigation arising from illegal construction and code enforcement actions, were also reviewed.

As part of this study, we were also requested to evaluate the activities of the Office of General Services (OGS) as they relate to the 'undergrounding' of electrical, telephone, and cable utilities. However, it was determined that the OGS functions are organizationally unrelated to the services performed by the other departments reviewed.

### Methodology

This management audit was conducted over a 19 week period during which time the following primary tasks were conducted:

Entrance Conferences: Entrance conferences or telephone conversations were held with managers from the departments, to discuss the management audit work plan, describe the audit process, establish audit procedures and protocols, and respond to questions of the involved department managers.

Pre-Audit Survey: A pre-audit survey was performed which included: interviews with Councilmembers and Council staff, City Manager staff, and department managers; interviews with over 75 line staff; observations of field inspection and counter operations; a survey of nine municipalities and two counties; and a review of documentation.

Field Work: Extensive field work was conducted, including follow-up interviews with appropriate managers, supervisors, and staff on each topic, and the review of data reports, the examination of case files, and collection and analysis of selected samples regarding workload and processing times. Flow charts were developed for zoning permit, building permit, and code enforcement processes, and data regarding workload and processing times were plotted to determine the effectiveness of services. Follow-up telephone conversations were also held with representatives of other jurisdictions regarding specific topics which are the subject of this report.

Preparation of Findings and Draft Management Audit Report: Based on the field work and analyses conducted throughout this study, findings, conclusions, and recommendations were then developed which address particular subjects which are appropriate for consideration by the City Council and City Manager. These management audit findings were included in a draft management audit report and submitted to the department managers for review.

Exit Conferences and Preparation of the Final Report: Exit conferences were held with City Planning, OPW, and OCD to discuss factual correctness of the report. Telephone conversations were also held with representatives of each of the departments who participated in the study, but for whom the findings and recommendations have a lesser impact. The draft report was then submitted to the City Manager and the ad hoc committee, and meetings were held to discuss findings, conclusions, and associated recommendations. The final report was then prepared and submitted to the full City Council.

Status Report Meetings: Periodic status report meetings with the ad hoc City Council committee were not held as planned due to difficulties coordinating meeting times with the participating Councilmembers, City Manager staff, and HMR consultants.

### Results of Interviews with City Councilmembers and the Public

All City Councilmembers or their staff representatives were contacted regarding the concerns each may have with the permit process, building inspection, and code enforcement services in the City. Councilmembers and staff also were asked to provide names of constituents and developers who could contribute to this study. Further, we were contacted independently by individuals who became aware of the study informally or after the suggestion of business associates.

#### **City Councilmember and Council Staff**

A number of Councilmembers stated that they have received frequent complaints from constituents, but also acknowledged their offices tend not to be called when services are provided efficiently.

However, Councilmembers stated that it is often difficult to achieve complaint resolution, despite the responsiveness of departments when constituent



problems are brought to the attention of managers. Coordination between departments is weak, and the authority and accountability for some services is unclear. Several Councilmembers suggested a functional realignment of services might be appropriate to help alleviate these problems.

A general dissatisfaction was expressed with building, zoning, housing and blight code enforcement activities. Councilmembers feel that enforcement action occurs too late in the process, and that inspectors are not sufficiently proactive or strict with enforcement action. Several Councilmembers also stated that the zoning and building permit approval processes in Oakland are too slow and unnecessarily cumbersome for builders, and that department interpretation and application of codes and building standards are inconsistent. Some Councilmembers expressed frustration with the lack of available public information which results in confusion on the part of constituent builders.

### **Neighborhood Associations and Councilmember Constituents**

Many of the comments received from neighborhood associations were similar to those which were raised by Councilmembers. The primary concern of constituents is that it is difficult to know which department has responsibility to resolve some problems. Neighborhood association representatives stated that there is a lack of adequate enforcement of zoning and building code requirements, particularly with new construction projects.

Complaints were also raised by owner-builders regarding the lack of public information materials for the public. Some stated that it is difficult to obtain necessary information from department officials.

Constituent concerns were most often specific to the area of the City in which the contacted persons live.

### **Developers and Developer Associations**

Developers, architects, and builders who have worked on projects in Oakland were contacted to provide input to this study. Some of these contacts were with individuals who were referred by City Councilmembers. The majority were referred through the Oakland Chamber of Commerce (OCC) or the Oakland Development Council (ODC).

There was a significant consistency in the comments raised by these individuals. The primary concerns as expressed by these persons are:

- The permit process system for both zoning and building permits is very time consuming since most steps are performed in a sequential rather than parallel fashion and require duplicative approvals.
- Staff in the Development Services Department, Development Controls Division, and Fire Department generally have a poor attitude towards customer service.

- None of the departments provide adequate public information or have policies and procedures to guide staff actions.
- Building, electrical, and plumbing/mechanical inspectors apply arbitrary inspection standards that are based on individual interpretations of code requirements.
- The current delays in obtaining inspections are unacceptable and have a serious impact on projects.
- Developers acknowledge that permit processing delays can partially be attributed to excessive workload for insufficient staff in each organization.

These problems are considered serious by developers and have been present for some time, although it was stated that some problems have become more prominent since the earthquake in October, 1989. These builders believe that service improvements need to occur or Oakland will suffer a number of economic consequences. Most significant among these will be decisions by developers to cease building activity in Oakland to build in other jurisdictions. Another result will be that illegal construction will increase as builders decide to risk building without permits, paying fines rather than realizing costly delays with the permit process.

### Review of Department Efforts to Improve Service Delivery

Because a primary purpose of management auditing is to identify opportunities for improvement, management audit reports often appear to be highly critical of management practices and department operations. In this report, we have summarized a number of critical comments made by City Councilmembers and the public regarding service delivery by the subject departments, and have independently identified management weaknesses which we believe are in need of strengthening.

The testimony of interviewed persons and the analyses contained in this report are used in each of the findings to draw conclusions regarding the operations of these departments, and to formulate recommendations for change. However, throughout the report we have also attempted to identify efforts made by each of the departments to independently identify areas in need of improvement, to correct recognized deficiencies, and to provide enhanced services.

Admittedly, many of these department accomplishments are obscured by the testimony, observations, and analyses used to support our findings.

Each of the departments has recognized many of the service enhancement needs identified in this report and indicate that they intend to implement corrective actions in the near future. These stated commitments by the departments are admirable and we commend their efforts to improve services. In some instances, we have recommended that departments report back to the City Council and City Manager on progress made with the implementation of specific



recommendations (within specified time frames). It also would be appropriate for the City Manager to require that responsible department managers provide periodic reports on the status of implementation for all recommendations approved by the City Council.

Finally, it should be recognized that the accomplishments of these departments have occurred during a period of great difficulty for the City of Oakland. Since October 1989, the City has had to deal with major staff relocation and service delivery issues since City Hall was closed due to the earthquake. Repercussions from the earthquake are still felt by many of the departments subject to this study as each copes with workload generated by unsafe buildings. Further, service delivery by these departments was impacted considerably during this study by the fire at the Smith Building in March 1991.

### Survey of Other Comparable Jurisdictions

A survey of nine municipalities and two Bay Area counties was conducted regarding permit processing, construction inspection, and code enforcement organization, costs, and operations in the selected jurisdictions. These jurisdictions were selected based on a number of criteria, including size, age, building stock profile, and proximity to the City of Oakland. While the jurisdictions' similarity to Oakland varies, each provided substantive contributions to the overall ability of our staff to analyze the programs which have been the subject of this management audit.

Survey responses were used to obtain a general understanding of programs in these other jurisdictions. The apparent similarities and differences between these jurisdictions and Oakland helped to identify topics for further study, and the experiences of these jurisdictions were sometimes used to help evaluate the need for change in Oakland.

### Report Content

This report includes eleven findings which address issues related to the organization of services, customer satisfaction and quality assurance, management and supervision, training, data systems, zoning and building permit processing, construction inspection, enforcement of the Tree Preservation Ordinance, and the workload and enforcement activity of housing code inspectors. Recommendations which have been made in this report would significantly restructure services to provide centralized accountability and authority for building and neighborhood preservation services. This report emphasizes the City Council's desire to enhance customer services through increased efficiencies and effectiveness in service delivery.

We recognize that the proposed reorganization of services contained in Section 1 of this report could be controversial, and that the final organization of services adopted by the City Council could differ somewhat from what has been recommended. Although we believe the entire proposed reorganization is justified, the minimum reorganization which we believe is necessary includes the integration of fragmented code enforcement services into a consolidated



department which has a clear mission of enforcing the City's housing and property related codes.

We also believe it is essential to emphasize to the City Council and City Manager that this report reaches well beyond organizational issues, to the fabric of the way in which departments presently provide services. Although services could best be improved by merging like responsibilities under a single administrator, all of the recommendations related to customer services, management and supervision, training, data systems, permit processing, and code enforcement can be implemented without consolidation. If the organization proposal is not adopted by the City Council, it is critical that a coordinated process be established by the City Manager for consistent application of recommendations which cross department lines.

## **SECTION 1: ORGANIZATION**

The functional organization of building permit processing, new construction inspection, and code enforcement in the City of Oakland is fragmented, resulting in diminished management accountability and authority. Although involved departments have made efforts to better coordinate staff activities by organizing topical committees to identify problems and solutions, centrally locating some functions, and reorganizing services within presently defined departmental parameters, service effectiveness continues to be adversely affected.

The three implementation functions performed by the departments are organizationally inter-connected through common City goals and objectives. These functions include significant areas of shared responsibility and administrative overlay. Isolating the management of these functions from one another hinders efficient and effective operations and negatively impacts public services. Such hindrances include:

- Diminished organizational accountability by functional category of service, primarily as such accountability relates to permit processing and code enforcement;
- Diminished organizational authority for insuring that perceived problems with permit processing and code enforcement are addressed, and that customer services are enhanced;
- Diminished organizational understanding by City employees and the public of the roles and responsibilities of each of the participating departments; and,
- Inconsistent interpretation and application of City development and code enforcement policies and procedures.

Five out of six municipalities responding to survey questions regarding the organization of these services in their jurisdictions indicate that the functions of advanced and current planning, building permit processing, construction

inspection, and code enforcement have been consolidated into one department. The sixth municipality has consolidated the functions of building permit processing, construction inspection, and code enforcement into one department. Planning functions in this municipality remain separate.

Because of the strong link between the activities of the Development Controls Division of the Planning Department and the Development Services Department of OPW, and because of the regulatory role of these operations, consolidation of these functions under one director with singular administrative authority is reasonable.

However, manager bias can influence the effectiveness of a department organization. Therefore, it would be reasonable to locate advanced planning functions (the Planning Services Division of the Planning Department) within an organizational entity which would be distinct from Development Services. By organizing services in this manner, there would be less of a tendency for current planning activities to take precedence over advanced planning needs. In accomplishing this recommendation, the City Council should consider elevating advanced planning to department status with a broadened and redefined role.

Code enforcement activities of the Housing Conservation Section of OCD have a strong link between the zoning regulation activities of the City Planning Department and the building code regulation activities of the Office of Public Works, and therefore should also be consolidated with these functions. Further, in order to centralize City-wide code enforcement activity and improve customer services, the management of certain code enforcement functions which are presently disbursed throughout the City should also be consolidated. This consolidation would be consistent with practices in other municipalities, and would permit the City to more effectively coordinate enforcement activities which may cross multiple code boundaries.

The City Council should:

- 1.1 Consolidate the functions of the Development Controls Division of the Planning Department with the functions of the Development Services Department of the OPW, under one office with singular administrative authority.
- 1.2 Consolidate code enforcement functions now provided by Housing Conservation with the services to be provided by the Development Controls and Development Services departments of the proposed new office.
- 1.3 Create an 'Administrative Services Division' of the proposed new office which includes budget and analysis, commission support, and quality control functions.
- 1.4 Elevate the Planning Services Division of the Planning Department to departmental status.



- 1.5 Direct the City Manager to conduct a staffing and cost proposal for a director, assistant director, and executive secretarial support, as described in this report. Authorize the proposed staffing and costs with the implementation of the proposed new office.
- 1.6 Appoint and convene a task force of Mayor, City Council, City Manager, and department representatives to better define a Department of Planning with a broadened and redefined role which could include enhanced neighborhood planning, strategic planning, municipal facility planning, marketing, and other functions.
- 1.7 Transfer responsibility for Uniform Fire Code plan review from the Fire Department to the Development Services Department of the new office.
- 1.8 Transfer the two Fire Prevention Engineer positions now assigned to the Fire Department to the engineering plan check unit of the new office to check plans for compliance with technical fire prevention, fire suppression, and hazardous waste storage systems and devices.
- 1.9 Transfer Zoning Regulation enforcement and conditional use permit (CUP) compliance monitoring to the code enforcement department of the proposed new office.
- 1.10 Transfer zoning inspector staff presently assigned to the Development Controls Division of Planning to the new code enforcement department of the new office.
- 1.11 Transfer the illegal construction abatement function from the Development Services Department of OPW to the code enforcement department of the proposed new office (no staff transfers).
- 1.12 Transfer the private property weed abatement function from OPW Maintenance Services to the code enforcement department of the new office. Private property should continue to be cleaned by contractors; public property should continue to be cleaned directly by OPW personnel.
- 1.13 Transfer the five OPW Weed Abatement staff to the code enforcement department of the proposed new office.
- 1.14 Transfer the abandoned vehicle abatement (private property) function from the Police Department to the code enforcement department of the proposed new office (no staff transfers).
- 1.15 Transfer the graffiti abatement (private property) function to the code enforcement department of the proposed new office, consistent with organizational policy presently being considered by the OCD (no staff transfers).



- 1.16 Transfer the 'Clean Community' function from OPW administration to the code enforcement department of the proposed new office.
- 1.17 Transfer the 1.5 FTE positions assigned to the OPW 'Clean Community' program to the code enforcement department of the proposed new office.
- 1.18 Direct the City Attorney to prepare appropriate legislation to implement organizational changes based upon the final organization form.

The City Manager should:

- 1.19 Evaluate the organizational consequences of placing the Real Estate and Engineering Services departments of OPW into the proposed new office.
- 1.20 Establish a process to insure that reporting mechanisms and systems for communication and coordination of current planning and advanced planning activities are developed and implemented by the proposed new office and the proposed Department of Planning.
- 1.21 Establish a process to monitor landscape plan review activities conducted by OPR, and reassess the placement of this function into the proposed new office if workload should increase in the future.
- 1.22 Establish a process to insure that appropriate referrals to the OCD Housing Services Department are made for any property rehabilitation services, loans, or grants which may be available to property owners with housing code violations.
- 1.23 Evaluate the mission, staffing, and cost of an expanded 'Clean Community' program as a policy matter to be considered by the City Council.

Implementation of the proposed recommendations would cost an estimated \$250,000 for additional director, assistant director, and executive secretary staff. No other costs would occur from functional and staff transfers. The following additional costs would occur, but cannot be estimated until specific reorganization policy is adopted by the City Council:

- The cost for professional planning staff to implement a modified and expanded advanced planning function.
- The cost for a centralized citizen services function within the Administrative Services Division, separately estimated in Section 2.
- The cost for an expanded 'Clean Community' program, based upon specific City Manager recommendations and City Council policy determinations.

By centralizing the primary functions of construction permit processing, new construction inspection, and code enforcement into a single department, opportunities for further integrating services and improving customer services

will increase. By separating the advanced and current planning functions and establishing sound procedures for communicating information and policy interpretations among the proposed Department of Planning and Office of Building and Neighborhood Preservation, current planning activities will not take precedence over advanced planning needs, and the potential for adversely affecting planning policy through manager bias will be reduced.

## **SECTION 2: CUSTOMER SATISFACTION & QUALITY ASSURANCE**

The Departments of City Planning and Development Services and the Housing Conservation Section of OCD have only recently begun to consider methods to improve customer satisfaction with services, and have done little to address the internal control issues of quality assurance.

### **Training**

If customer service is to be an inherent part of the job, managers and employees must be trained to understand what customer service is and how it is to be brought about. Generally, customer service training would include providing quality customer service, public contact skill building, and managing customer service operations and personnel.

### **Operations Information**

As a result of the customer service training, the department's managers will have a need to know more about what their organization is supposed to be doing and what it actually is doing. Section 5: Data Systems of this report, discusses the technical requirements for developing this information.

### **Public Information**

The department's managers should seek improved methods for disseminating information to their customers concerning the various methods that the department has for servicing their building development and conservation needs. Most essential is the need to develop a set of brochures introducing the department's services overall and how each is coordinated with the other, and more specific brochures detailing information that the customer must have to facilitate the processing of their applications.

The departments should also produce regular code updates to inform the public of changes in relevant codes, use public bulletin boards to provide information regarding procedural changes, produce videotapes that could be played in reception areas and be made available at the City Library, provide reference materials which could be reviewed at a central library or purchased at City cost at a counter book store, provide reference materials through 'computer links', and develop some application forms and information materials in languages other than English.



- 2.6 Direct that the new office or, if the reorganization is delayed, the individual departments, develop application forms and information materials in other languages, in addition to English.
- 2.7 Direct that the new office or, if the reorganization is delayed, the individual departments, install and operate the new computerized telephone automated inquiry systems without delay.

The establishment of an Oakland Action Line Center is estimated by the Library to cost approximately \$400,000 per year of operation. An Action Line Center would provide the Mayor, City Council, City Manager, and department heads with accurate and timely information regarding potential problem areas and citizen concerns. Such information would provide a basis for correcting operational deficiencies, planning and improving the delivery of city services, identifying requirements for additional personnel, and identifying the need for revising existing ordinances or for creating new ones. In performing these functions, the proposed Action Line Center for the City of Oakland would serve as a convenient central point for its citizens to receive information, complain, and offer advice while being served in a courteous manner.

We estimate that the production of brochures and other public information materials would cost approximately \$15,000. The availability of information concerning the operation and the rules regarding the City's building preservation, services and control functions will provide the public with the information required to meet the City's code requirements with less aggravation and improve the overall efficiency of these City services.

The three new additional positions for the proposed Quality Assurance Section would cost an estimated \$105,000 annually.

### **SECTION 3: MANAGEMENT AND SUPERVISION**

Managers in the Development Services Department, Development Controls Division and Housing Conservation Section need to make improvements to increase their ability to implement the City's Performance Management System and insure greater organizational efficiency. Although improvements recommended for the departments are not required to the same degree, in general, managers need to:

- Develop comprehensive, clear and useable policy and procedures manuals;
- Develop clear and challenging department and individual performance standards;
- Provide increased supervision to assist employees in achieving performance standards and guarantee work quality; and,
- Perform regular performance appraisals of all staff.



- 4.5 Direct the managers to assign sufficient authority to an individual within their organization who will be responsible for carrying-out the training program.
- 4.6 Direct the managers to include training program components which include plans for providing employees with information about associated permit, land-use, and development activities in the sections of the integrated office, and in other departments involved with providing these services.
- 4.7 Encourage the City Attorney's Office to provide quarterly briefings to office staff on the evolving legal issues concerning development, building safety and land-use controls. The City Attorney's Office should recommend alternative methods for developing defensible cases for the Housing Conservation staff.
- 4.8 Direct the City Library to develop an information and referral resource for its managers to locate up-to-date information and advice concerning management, supervision, and customer service issues.

Developing adequate training and training support programs as recommended would significantly improve the City's ability to provide quality citizen services and will increase citizen satisfaction with the services provided. These training programs will provide new employees information they need to perform work the way the City wants it done; give all employees a chance to find out if they are doing their job correctly; give all employees a chance to learn new and better ways of doing their jobs, to use new improved equipment, and to keep up with the rapid changes that are taking place in every type of work; and give all employees a chance to grow on the job by learning new skills and by assuming added responsibilities that can result in benefits to the citizens and promotions and salary increases for employees. The Office's managers will be able to supervise and explain, train, and evaluate supervisory activities for their employees.

The costs involved with training would entail the allocation of staff time to training sessions averaging eight hours per month per employee. This may require either additional staff or expenditures for additional overtime work to compensate for the job time lost. The actual cost for training materials should not exceed \$5,000. These costs would support a minimally acceptable training program. The increasing development and use of effective training programs would eventually require significant allocation of City resources as an investment in future productivity increases.

## **SECTION 5: DATA SYSTEMS**

The departments risk wasting funds on systems that may not be appropriate to their long term requirements or may not be compatible with one another's purposes. The departments' managers have not prepared a plan determining which technologies are appropriate for integrating into their

operations. Without a clear determination of the design and functionality of the systems that the departments will decide to adopt, the departments appear to be moving from one set of system requirements to another without a unified purpose. The City should seek a system that would be used and shared by all of the associated departments.

Pending the evaluation of alternative systems, the City should not expend \$185,000 for a programming consultant and 560 OCIS staff programmer-days to upgrade the current Permit Tracking System. The PTS needs to be replaced with modern distributed systems operating on personal computers.

The departments should acquire a bar code system that would track the status and the action taken on each application or complaint. The proposed bar code system would be a low cost short term alternative to investing in the proposed PTS upgrade and would provide immediate benefits. The bar code scanning system could be used by any permit tracking and management system eventually adopted.

A personal computer mapping system should be acquired to automate the permit notification process, saving the Development Controls Division time and effort. In addition, such a system should be used to instantly look-up the zoning designations for each parcel. This look-up capability would save significant time for the clerks at the Division's customer service desk.

OCIS staff are currently planning to eventually consolidate all of the City's location or property based information in a system commonly called a geographic or *geo-file* system. Eventually, this would serve as the common data files for the City's zoning, code enforcement, and permit data. It would also maintain the maps and other property related information used by the City. However, developing and maintaining geo-file systems is expensive. As an alternative to each agency spending similar funds to develop independent systems, the East Bay local government and utility agencies should form a joint venture consortium to share the development, maintenance and operational costs of a regional geo-file system. Although the staffs of the various agencies have discussed the need to eventually form such a joint venture consortium, the idea is languishing and may never be implemented without policy directive.

The City Council should:

- 9.1 Appropriate funds for the departments to acquire a bar code system that would track the status and the action taken on each application or complaint.
- 9.2 Appropriate funds for the Planning Department to acquire a personal computer mapping system to automate the permit notification process.
- 9.3 Pending the evaluation of the alternative permit monitoring systems recommended below, not authorize expenditure of \$185,000 for contract programmer services and 560 OCIS staff programmer-days to upgrade the current Permit Tracking System. However, the City Council should not



restrict the planned purchase of various desk-top computer equipment budgeted at \$191,200.

- 9.4 Memorialize the Association of Bay Area Governments, Alameda and Contra Costa Counties and the EBMUD (among others) to create a planning group to evaluate the feasibility, costs, savings and benefits of forming a geo-file consortium.

The City Manager should:

- 9.5 Direct the departments to work with OCIS to review ready-made alternatives to continuing the use and development of PTS. By September 15, 1991, the departments should report to the City Manager their selection of alternative systems or the benefits of continuing with the current PTS.
- 9.6 Direct the departments to work with the OCIS to discuss the alternative system designs that would be of service to their operations over the next three to five years and actively work with OCIS to develop appropriate distributed management information and control systems.

By not upgrading the Permit Tracking System, the City will save \$185,000 for contract programmer services and 560 OCIS staff programmer-days. By replacing the PTS with modern distributed systems operating on personal computers the City will have a system that is more likely to be appropriate to their long term requirements and a system that would be used and shared by all of the associated departments.

The acquisition of a bar code system costing approximately \$40,000 that would track the status and the action taken on each application or complaint will be a low cost short term alternative to various elements of the proposed PTS upgrade and would be used by any permit tracking and management system eventually adopted. The bar code scanning system would gather and report nearly all of the information required for management reports and quality assurance analysis with little or no error.

The acquisition of a personal computer mapping system costing approximately \$3,000 will automate the permit notification process, saving the Development Controls Division time and effort. In addition, such a system will be used to instantly look-up the zoning designations for each parcel. This look-up capability will save significant time for the clerks at the Division's customer service desk.

The consolidation of all of the City's location or property based information in a system commonly called a geographic or *geo-file* system would serve as the common data files for the City's zoning, code enforcement, and permit data. It would also maintain the maps and other property related information used by the City. However, developing and maintaining geo-file systems is expensive. The formation of a joint venture consortium to share the development, maintenance and operational costs of a regional geo-file system is an alternative to each agency spending similar funds to develop independent systems.



## SECTION 6: ZONING PERMIT PROCESS

The Planning Department processes the vast majority of zoning permits within the Zoning Regulations mandated 60 day time period. However, a significant minority of applications are not processed within the required time frames and the average time required for processing permits averages between seven and eight weeks. The Department should implement a number of changes to increase operating efficiency, allow for parallel processing of some application steps and improve counter services. These changes could reduce processing time for those applicants who choose to have interim design review and zoning plan check review occur concurrently by 20 calendar days.

Additionally, zoning permit application processing times could improve if the recommended changes to counter operations occur and if the Department achieves greater compliance with State requirements.

The Director of City Planning should:

- 6.1 Prepare a report for the City Manager by January 1, 1992 detailing what changes have been implemented to increase the efficiency of counter operations, the productivity and workload accomplishments of junior planner staff, and the need for additional counter staff.
- 6.2 Develop comprehensive checklists that can be used by junior planners at the counter to determine what information is required for each type of zoning permit.
- 6.3 Implement procedures to allow junior planners to determine application completeness within five working days.
- 6.4 Develop procedures for the proposed policy and procedures manual that would allow for partial administrative parallel processing for environmental review and zoning permit permit applications when appropriate.
- 6.5 Limit approval of design review applications to the Associate Planner with responsibility for minor cases.
- 6.6 Allow applicants the option to have zoning plan check accomplished at the design review decision stage.
- 6.7 Hire new design review staff with an architectural background that are qualified to conduct both design review and zoning plan check.

The City Council should

- 6.8 Accept and review a report from the Director of City Planning concerning junior planner staff workload and productivity.

- 6.9 Approve the proposal by the Planning Department that additional staff be hired to conduct environmental review and that these staff be funded by increased and new fees.

The City Planning Department has included as part of its FY 1991-92 budget request a proposal to fund three positions to conduct environmental review. These positions would be fully-covered by new and increased fees and would result in no new City expenditures. These positions would increase the Department's ability to effectively process environmental impact reports and other zoning permit applications.

The recommendations regarding changes in Planning Department operations and procedures would result in increased operational efficiency and reduced application processing time and can be implemented without additional cost.

## **SECTION 7: BUILDING PERMIT PROCESS**

While the Development Services Department and other City departments process a majority of permits in a timely fashion, those required for new construction require approximately four months for processing. This is three times longer than five comparable California cities. Processing times could be reduced if a number of steps are implemented including eliminating the separate Fire Marshall review for most applications, allowing applicants the option of obtaining zoning design review and plan check approval concurrently, and instituting additional reforms in Development Services plan check procedures. If these recommendations are implemented new construction permit processing times could be reduced as follows:

<b><u>Recommendation</u></b>	<b><u>Reduction in Processing Time (in calendar days)</u></b>
Energy plan check performed by plan check staff, not outside firm*	14
Fire Department plan review performed by plan check staff	16
Zoning plan check performed at design review stage	17
Reduction in processing time through elimination of Fire Department and zoning plan check reviews	<u>7</u>
Total potential reduction in processing time	54

\* As of July 15, 1991 Title 24 energy plan check will be performed by plan check staff and not outside consultants.



The City Council should:

- 9.1 Authorize the addition of an arborist inspector for the administration of the TPO, based on current workload in the OPR Tree Section and increased responsibilities related to proposed ordinance modifications.
- 9.2 Adopt the recommendations of the Tree Preservation Ordinance Working Group related to the posting, notification, and public appeal process for the removal of certain City trees; establishing a separate process for tree removal permit applications which are unrelated to development; establishing a CEQA process for tree removal permits; establishing standardized criteria for determining tree replacements and in-lieu fees; and establishing other administrative revisions discussed in the body of this section.
- 9.3 Direct the City Manager to conduct a thorough review of clerical staffing and automation needs for the Tree Section of the OPR Maintenance Division, and report back with recommendations before implementation of proposed Working Group ordinance modifications.
- 9.4 Direct the City Manager to insure that a procedure is established for non-development related tree removal permit applications to be accepted at the central permit counter at 1330 Broadway.
- 9.5 Direct the City Manager to work with OPR to develop a methodology for determining development related (including undeveloped properties) and non-development related tree removal permit fee proposals for consideration by the City Council. The analysis presented in this Section could be used as a model by applying development related permit activity statistics.
- 9.6 Establish a policy of full cost recovery for all development related permits in the City.

Based on OPR estimates, the cost of the arborist inspector position and vehicle will be approximately \$74,000 annually. Additional costs may be appropriate for clerical staffing and automation required to support the Tree Section, including tree maintenance activities.

Modifications to the TPO will extend the requirements presently applied to private property owners to the City regarding the removal of trees, and will extend appeal rights to property owners adjacent to City properties. Other TPO changes will improve the administration of the ordinance.

The addition of the arborist inspector will provide sufficient staffing to effectively administer all aspects of the City's Tree program, including street tree planting. Arborist inspector and supervisor staff would be used more effectively with the addition of clerical staff and mini-computer support capability, and other areas of the OPR Tree Section could potentially also benefit.



Establishing a procedure for accepting tree removal permit applications at the central permit counter at 1330 Broadway will increase public service and be consistent with the "one-stop shop" concept presently being examined by the City.

Development and implementation of a tree removal permit fee model, as proposed in this section, would insure that City policies regarding construction related permits are more equitably applied by departments. If the model OPR tree removal permit fees are adopted, 100 percent of development related and 50 percent of non-development related permit costs could be recovered. Adoption of cost recovery fees, with this 50 percent subsidy for non-development tree removal permit applications, would result in increased revenue of approximately \$20,000 annually while insuring continued compliance with the tree removal permit process.

## **SECTION 10: HOUSING CONSERVATION INSPECTOR WORKLOAD**

An analysis of Housing Conservation housing inspector workload reveals that the field inspection activity documented in the case files is insufficient for the current number of housing inspectors. Housing Conservation managers and staff state this occurs because a significant percentage of field activity is not recorded in case files due to the current case management system, and general housing inspector investigation activities are not recorded in case files.

If the average of eight inspections per day is used, which is similar to three other surveyed California jurisdictions, then the current case load, as measured by documented case file activity, could be investigated and processed by one-third the existing housing inspector staff. However, we acknowledge that our estimating methodology may understate workload to some degree. Therefore, we hesitate to recommend that positions be eliminated at this time.

However, it is important that Housing Conservation Section managers implement a number of procedures to increase field accountability of housing inspectors. The information gained through the implementation of this system should be used by the Housing Manager to present a report to the City Manager by January 1, 1992 that documents housing inspector field activity and workload. This report can then be used by the City Manager's Office to review Housing Conservation personnel needs.

In order to implement a field accountability system which requires inspectors to keep logs of daily activity it will be important to insure adequate supervision of housing inspectors. Section 3 of this report contains recommendations for a field supervision program that would include unannounced ride-alongs by supervisors, follow-up visits to verify appropriateness of housing inspector action and auditing of case files.

As noted in Section 3, the Inspection Services Unit of the Development Controls Department uses an automated system for inspector scheduling and log sheets to document inspector activity. Although there are differences in the

activities of building and housing inspectors, Housing Conservation should consider adopting a similar system for their own use.

Section 1 of this report details a number of recommended organizational changes concerning code enforcement activities in the City of Oakland. It is recommended that a number of code enforcement functions currently disbursed throughout the City be consolidated into one organization. Functions that would be transferred include building code enforcement activities currently performed by inspectors in the Inspection Services Unit of the Development Services Department and abandoned automobile abatement performed by the Police Department. These duties should be assumed by current Housing Conservation staff.

The Housing Manager should:

- 10.1 Develop a program to increase field accountability of housing inspectors that would required housing inspectors to keep logs of both proposed and actual field inspection activities.
- 10.2 Prepare a report for the City Manager by January 1, 1992 that documents what field accountability system has been implemented and detailing housing inspector field activity and workload.

The City Manager should:

- 10.3 Accept and review the report submitted by the Housing Manager which would document the implemented field accountability system and provide data on housing inspector field activity and workload.

These recommendations could be implemented at no additional cost and would result in increased housing inspector field accountability which and increased operational efficiencies.

## **SECTION 11: HOUSING CONSERVATION ENFORCEMENT PROCEDURES**

Enforcement of the Housing Code and other codes enforced by the Housing Conservation Section is not always occurring consistently or in a timely manner. Analysis of the principal enforcement tools used by the Section reveals that the use and timeliness of fee-charged reinspections, clean-up/board-up HAAB 39 notices, and the declaration of buildings as substandard and/or a public nuisance could be improved.

The development of specific policies and procedures for the use of each enforcement mechanism, the tracking of cases that exceed enforcement time frames and active supervision by division management would greatly improve the efficiency of enforcement and result in significant additional revenues for the City. Increased enforcement activity, which would focus on enforcement on those who refuse to comply in a timely manner, would be supported by both Housing Conservation staff as well as City administrators. Such enforcement would



insure not only more consistent use of enforcement mechanisms but consistent application of enforcement throughout the City.

The Housing Manager should:

- 11.1 Develop detailed policies and procedures that state the time frames to achieve compliance for all Housing Conservation enforcement actions, state when exceptions to enforcement time frames would be granted, and develop meaningful performance and evaluative standards for all housing inspectors to insure that these policies and procedures are being followed.
- 11.2 Develop procedures to track when cases have exceeded developed time frames to insure that housing inspectors bring enforcement cases to a timely resolution.
- 11.3 Prepare a list of all properties declared substandard, substandard/public nuisance, or public nuisance before 1990, and detail the enforcement status and proposed resolutions of the case. This list should be presented to the City Council within three months of the acceptance of this report.

The Mayor and City Council should:

- 11.4 Fill the current HAAB vacancy as soon as feasible to provide HAAB with a full membership of seven, consider changing the Housing Code to provide for less absences for HAAB members, and consider providing compensation to HAAB members to encourage attendance.

The implementation of increased enforcement measures could be accomplished without additional staff and would result in increased operating efficiency and customer service.

It is estimated that increased use of fee-charged reinspections and Housing Conservation to clean-up or board-up properties would result in additional annual revenues.



## INTRODUCTION

The Harvey M. Rose Accountancy Corporation Certified Public Accountants is pleased to present this Management Audit of the Permit Processing, Construction Inspection, and Code Enforcement Functions in the City of Oakland. This management audit was requested in December 1990 by the City Council under its power of inquiry, as provided in Section 218 of the Charter of the City of Oakland.

The work plan for conducting this study was approved by the City Manager in late February 1991 based on a proposed scope of services defined and approved by an ad hoc committee of the City Council during that month. Although the final work plan had not yet been approved, entrance conferences were held with the directors of the Office of Public Works, City Planning, and the Office of Community Development in the early part of that month in order to describe the management audit process and collect certain documentation required for the study. Initial interviews were then held with these directors on March 8 (after approval of the Work Plan) and field work began. Field work continued through June 21.

A draft report was delivered to participating departments on July 5. Exit conferences were held with these departments between July 10 and July 16. The draft report was then delivered to the ad hoc committee of the Council on July 17, and presented to the ad hoc committee and department managers on July 19. The final report was delivered to the full Council on July 22.

The time frame for this study was longer than anticipated due to a fire which occurred at the Smith Building at 1330 Broadway in late March. Due to this fire, and the resulting need for the Development Services Department of OPW, the Development Controls Division of Planning, and the Fire Marshal to relocate services, we were unable to conduct many essential field work activities for approximately one month. Although field work was conducted at OCD offices during this period, this disruption to planned management audit activities substantially delayed the overall project.

### Purpose and Scope

The purpose of the Management Audit of the Permit Processing, Construction Inspection, and Code Enforcement Functions in the City of Oakland has been to examine the efficiency and effectiveness of the current programs for providing these services, with an emphasis on evaluating the organization of functions and improving customer services. Specifically, the management audit was to accomplish the following general objectives:

- To review the functions provided by each of the involved departments and staffs; and to evaluate the current organization of services and identify methods for improving the coordination of permit processing, construction inspection, and code enforcement functions. Included in this review was an evaluation of the potential for consolidating activities now performed independently by each of the departments.

- To assess staffing levels, activities, and allocation of personnel by classification for each of the departments.
- To review current procedures and practices, and to assess mechanisms for insuring that the public receives prompt, courteous, and responsive services (particularly as they relate to telephone requests for service, and assisting persons wishing to accomplish the permit and construction inspection processes).
- To evaluate methods which have been established for enforcing compliance with Oakland City Codes, including existing fee and penalty structures; and to determine whether enforcement methods are appropriately utilized by staff.
- To evaluate the need for staff training, in order to insure a consistent interpretation of the City of Oakland Municipal Code, Planning Code, Oakland Housing Code, the Uniform Building Code, and other applicable laws and regulations; to insure courteous and responsive services; and to effectively communicate code requirements and permit processing steps to the public.
- To review the City of Oakland Municipal Code, Oakland Housing Code, Uniform Building Code, and other applicable laws and regulations, to determine whether existing code sections are clearly and consistently presented, whether existing Municipal Code Sections meet community expectations, and whether codes are enforceable. Procedures and practices for systematic review and updating of conflicting or outdated code requirements have also been analyzed and evaluated.

This study included the review of six operating departments charged with the functions related to permit processing, construction inspection, and code enforcement activities in the City of Oakland. These departments included:

- The City Planning Department, Development Controls Division, which is responsible for the review of specific development plans to determine consistency with the City's design criteria and Planning Code, environmental review, administration of subdivision regulations, the enforcement of conditions of approval (CUPs) which have been issued by the Department, and the occasional enforcement of zoning regulations.
- The Office of Public Works (OPW), Development Services Department, which is responsible for the review of specific building plans for conformity with building, plumbing, mechanical, electrical, and other construction standards; the inspection of construction work-in-progress to insure that construction complies with approved plans and conditions; and the enforcement of building regulations related to illegal construction.



- The Office of Community Development, Housing Conservation Section (HCS), which is responsible for enforcing the provisions of the City's Housing Code, Zoning Regulations, and the Blight Ordinance.
- The Fire Department, which is responsible for the review of all building plans for new construction, major remodeling, and renovation to determine consistency with the Uniform Fire Code, and performing final inspections on each of these projects prior to issuing a certificate of occupancy.
- The Office of Parks and Recreation (OPR), which is responsible for the review of commercial development and subdivision landscape and tree planting designs and plans, and for the enforcement of the City's Tree Preservation Ordinance.
- The Police Department (OPD), which is responsible for abandoned vehicle abatement services on private property, as a component of its street vehicle towing program.

To support the activities of these departments, we also reviewed activities of the City Attorney, which provides legislative and legal advisory services to these operating departments and represents the departments in litigation arising from illegal construction and code enforcement actions.

As part of this study, we were also requested to evaluate the activities of the Office of General Services (OGS) as they relate to the 'undergrounding' of electrical, telephone, and cable utilities. However, because the role of OGS is restricted to the administrative task of developing utility assessment districts for the purpose of accomplishing 'undergrounding', but does not include the construction permit or inspection processes, it was determined that the OGS functions were organizationally unrelated to the services performed by the other departments reviewed.

## Methodology

As discussed previously, this management audit was conducted over a 19 week period during which time the following primary tasks were conducted:

Entrance Conferences: Entrance conferences were held with the directors of Planning, OPW, and OCD, to discuss the management audit work plan, describe the audit process, establish audit procedures and protocols, and respond to questions of the involved department managers. Telephone conversations and meetings were also held with department or division managers from the Fire Department, Office of Parks and Recreation, City Attorney's Office, and Office of General Services.



Pre-Audit Survey: A pre-audit survey was performed which included interviews with Councilmembers and Council staff, City Manager staff, and department managers to obtain an overview and general understanding of the organization and operations of each permit processing, construction inspection, and code enforcement function in the City, as well as perceived problems and concerns related to these services. Various documents regarding the organization, policies, procedures, workload, and staffing were also collected and reviewed, as were numerous letters from the public which discussed specific experiences regarding services provided by the City.

Interviews were conducted with over 75 supervisor and line personnel to discuss specific staff responsibilities; and inspectors from each program were accompanied in the field to observe the performance of inspector duties. Due to the fire at the Smith Building, we were not provided an opportunity to observe building or zoning permit counter operations under 'normal' conditions. However, we observed permit counter operations in temporary locations at the Wells Fargo Building at 1333 Broadway.

Further, a mail survey of city manager offices in nine comparable municipalities and two Bay Area counties was conducted regarding permit processing, construction inspection, and code enforcement organization, costs, and operations in the selected jurisdictions. Meetings and telephone conversations also were held with representatives of neighborhood associations, Councilmember constituents, developers, and developer associations concerning the subject services.

Based on these pre-audit survey tasks, topics requiring further field work and analysis were identified.

Field Work: Extensive field work was conducted on topics identified through the pre-audit survey tasks described above. These field work activities typically included follow-up interviews with appropriate managers, supervisors, and staff on each topic, and the review of data reports, the examination of case files, and collection and analysis of selected samples regarding workload and processing times. Flow charts were developed for zoning permit, building permit, and code enforcement processes, and data regarding workload and processing times were plotted to determine the effectiveness of services. Follow-up telephone conversations were also held with representatives of other jurisdictions regarding specific topics which are the subject of this report.

Preparation of Findings and Draft Management Audit Report: Based on the field work and analyses conducted throughout this study, findings, conclusions, and recommendations were then developed which address particular subjects which are appropriate for consideration by the City Council and City Manager. These management audit findings were included in a draft management audit report and submitted to the department managers for review.

Exit Conferences and Preparation of the Final Report: Within one week after submitting the draft management audit report, exit conferences were held with City Planning, OPW, and OCD to discuss factual correctness of the report. Telephone conversations were also held with representatives of each of the departments who participated in the study, but for whom the findings and recommendations have a lesser impact. The draft report was then submitted to the City Manager and the ad hoc committee, and meetings were held to discuss findings, conclusions, and associated recommendations. The final report was then prepared and submitted to the full City Council.

Status Report Meetings: Periodic status report meetings with the ad hoc City Council committee were not held as planned due to difficulties coordinating meeting times with the participating Councilmembers, City Manager staff, and HMR consultants. However, meetings were held with each of the City Councilmembers or their staff representatives on an individual basis to discuss their concerns regarding permit processing, construction inspection, and code enforcement services provided by the departments reviewed. During these meetings, the progress of the study was also typically discussed.

### Results of Interviews with City Councilmembers and the Public

As stated previously, City Councilmembers and members of the public were interviewed extensively during the course of this study. All Councilmembers or staff representatives were contacted regarding concerns which each may have with the permit process, building inspection, and code enforcement services in the City. Councilmembers and staff also were asked to provide names of constituents and developers who could contribute to this study. Further, we were contacted independently by individuals who became aware of the study informally or after the suggestion of business associates.

#### **City Councilmember and Council Staff**

City Councilmembers raised a number of concerns with the permit processing, construction inspection, and code enforcement functions in the City of Oakland. A number of Councilmembers stated that they have received frequent complaints from constituents, but also acknowledged their offices tend not to be called when services are provided efficiently. There were three primary concerns with the current system that were consistently raised by Councilmembers:

- While Councilmembers state that the departments involved in this study are responsive to specific complaints referred by Councilmembers, it is often difficult to achieve complaint resolution. Councilmembers state that coordination among departments appears weak, and that it is often time consuming to determine which departments have authority to investigate and resolve problems. Several Councilmembers suggested that a functional realignment of these services might be appropriate to increase accountability and provide more effective services.



- Councilmembers expressed general dissatisfaction with building, zoning, housing, and blight code enforcement activities. Enforcement is viewed as occurring too late in the process. Councilmembers feel that inspectors are not sufficiently pro-active or strict with enforcement action, and that property owners too often delay compliance without concern about possible sanctions by the City. A number of specific case examples were presented by Councilmembers where required zoning conditions of approval were not met, illegal construction was not stopped, and housing code violations not investigated in a timely manner.
- Several Councilmembers stated that the zoning and building permit approval processes in Oakland are too slow and unnecessarily cumbersome for builders. Concerns about unclear interpretations of building codes and inconsistent application of construction requirements by building, plumbing/mechanical, and electrical inspectors were raised by those Councilmembers whose districts have significant development activity.

Other less consistently raised concerns were:

- Some Councilmembers expressed frustration from the lack of available public information which results in confusion on the part of constituent builders. Several Councilmembers suggested that information should be available for residents for which English is not the first language.
- Two Councilmembers expressed concern that zoning permit counter staff are requiring evidence of business tax certificates before a commercial use has been approved by Planning staff. This activity results in confusion by business persons who are applying for use permits with their building permit applications for tenant improvements at commercial sites.

The public often misunderstands the purpose of the business tax certificate and views it as a license authorizing proposed business activity, rather than being just evidence of tax payment. If the use of the building is denied by the Planning Department as part of the zoning review when processing permits for tenant improvements, applicants sometimes view the Planning decision as being inconsistent with prior business 'licensing' action of the City.

### **Neighborhood Associations and Councilmember Constituents**

Councilmembers were asked to provide names of constituents who they felt could contribute to an understanding of the problems associated with permit processing, building inspection, or code enforcement activities in the City. The names of constituents provided by Councilmembers were from a wide background including representatives from neighborhood associations, developers and builders (discussed below), homeowners, and tenants who have had interaction with one of the departments or functions included in this study.



Many of the comments received from neighborhood associations were similar to those which were raised by Councilmembers. The primary concern of constituents is that it is difficult to know which department has responsibility to resolve some problems. Neighborhood association representatives stated that there is a lack of adequate enforcement of zoning and building code requirements, particularly with new construction projects. Individuals believe that builders often skirt the City's requirements, and that enforcement sanctions are not sufficient to obtain compliance once illegal construction has begun. One neighborhood association member stated that the continued involvement of one department manager was required for one project that was not in compliance with City regulations, and that she did not believe that intervention at this level in the department should be required.

Complaints were also raised by owner-builders regarding the lack of public information materials for the public. Some stated that it is difficult to obtain necessary information from department officials. Individuals stated that persons can go from department to department without finding a staff member who can provide required information.

It is interesting to note that constituent concerns were most often specific to the area of the City in which the contacted persons live. As an example, some hillside residents are interested in the City developing a more effective Tree Preservation Ordinance and tree removal permit enforcement process. Persons from other areas of the City are concerned with the need to reduce blight and illegal dumping. Persons from other areas are concerned with the construction of illegal units in their neighborhoods.

### **Developers and Developer Associations**

Developers, architects, and builders who have worked on projects in Oakland were contacted to provide input to this study. Some of these contacts were with individuals who were referred by City Councilmembers. The majority were referred through the Oakland Chamber of Commerce (OCC) or the Oakland Development Council (ODC).

HMR staff attended two OCC committee meetings to receive comments on permit processing, construction inspection, and code enforcement functions within the City. The comments of committee participants reflected those stated below by ODC members. In fact, many of the contacted OCC members were also members of ODC.

The ODC is an organization of Oakland builders and developers that provides assistance to individuals or firms that are attempting to develop property within the City of Oakland. Many of the builders and developers contacted as part of this study were ODC members or referred through ODC. Additionally, several meetings were held with ODC officers to gather general developer opinions on the City of Oakland's development and building process.

ODC members have a number of specific concerns with the permit process as currently performed in the City of Oakland. There was a significant consistency in the comments raised by these individuals. The primary concerns as expressed by these persons are:

- The permit process system for both zoning and building permits is very time consuming since most steps are performed in a sequential rather than parallel fashion and require duplicative approvals. Many developers state that Oakland's processing times far exceed those in other near-by jurisdictions.
- Staff in the Development Services Department, Development Controls Division, and Fire Department generally have a poor attitude towards customer service. Developers feel that they often are treated rudely and that staff does not provide information beyond responses to specific questions.
- Developers acknowledge that permit processing delays can partially be attributed to excessive workload for insufficient staff in each organization. Some developers have supported department requests for additional staff and have indicated a willingness to pay increased fees, if the revenues would be used to hire more staff and produce direct service results.
- None of the departments provide adequate public information or have policies and procedures to guide staff actions. Because of this, developers feel they are given conflicting information, conflicting interpretations of laws and regulations, and have difficulty educating themselves on the City's development requirements. To attempt to remedy this situation, ODC developed its own manual of frequently used permit processing forms and department memoranda for use by its members.
- Building, electrical, and plumbing/mechanical inspectors apply arbitrary inspection standards that are based on individual interpretations of code requirements. This complaint was vigorously raised by a number of developers who feel that this is unfair, costly to their operations, and, at times, illegal. One developer stated that he had never passed a mechanical inspection on the first attempt in Oakland and never failed one on the first attempt in any other jurisdiction where he has built.
- The current delays in obtaining inspections are unacceptable and have a serious impact on projects. Many developers believe that one answer to this problem would be moving to a combination inspector program, as used in other jurisdictions.

These problems are considered serious by developers and have been present for some time, although it was stated that some problems have become more prominent since the earthquake in October 1989. Although developers acknowledge that the earthquake and a recent fire at the Smith Building are partially responsible for operational delays, these builders believe that service improvements need to occur or Oakland will suffer a number of economic



consequences. Most significant among these will be decisions by developers to cease building activity in Oakland to build in other jurisdictions. A number of developers state this is already occurring at an undesirable level and offered the names of builders who no longer will work in Oakland. Another result will be that illegal construction will increase as builders decide to risk building without permits, paying fines rather than realizing costly delays with the permit process.

### Review of Department Efforts to Improve Service Delivery

Because a primary purpose of management auditing is to identify opportunities for improvement, management audit reports often appear to be highly critical of management practices and department operations. In this report, we have summarized a number of critical comments made by City Councilmembers and the public regarding service delivery by the subject departments, and have independently identified management weaknesses which we believe are in need of strengthening.

The testimony of interviewed persons and the analyses contained in this report are used in each of the findings to draw conclusions regarding the operations of these departments, and to formulate recommendations for change. However, throughout the report we have also attempted to identify efforts made by each of the departments to independently identify areas in need of improvement, to correct recognized deficiencies, and to provide enhanced services.

Admittedly, many of these department accomplishments are obscured by the testimony, observations, and analyses used to support our findings. Therefore, we believe it is important to generally comment in the 'Introduction' on these department accomplishments.

In recent years, City Planning has re-organized and made efforts to consolidate many of the current planning activities it performs. Staff additions have been requested and approved by the City Council to provide more professional services at the counter, and more comprehensive services overall. Additional staff recently has been requested to perform environmental review responsibilities presently disbursed among advanced planning staff. Through staff additions and re-organization, the Department hopes to be able to focus on many advanced planning responsibilities which have been historically given a lower priority by the Department. The Department also has been persistent in its efforts to implement computerized case tracking capabilities.

Since 1987, when we performed our management audit of the Inspectional Services Department of the Office of Public Works, many significant changes have occurred. The most significant of OPW's accomplishments has been a major re-organization which created the Development Services Department and consolidated many of the engineering plan check activities of the Department. Also significant has been the creation and enhancement of the permit counter, and other customer service improvements. Development Services has made significant strides toward developing management plans, a procedures manual for staff, and public information materials. Since 1987, the Department has



become more aggressive with recommending fee revisions to the City Council and now recovers most costs through charges to its users.

OPW has also recognized the need to improve management information. When we conducted our 1987 study, OPW was implementing the Permit Tracking System (PTS) to provide an automated system for tracking permit activity. Since that time, significant effort has been made to identify deficiencies in the PTS system and to work toward implementing improvements in management information capabilities. Manual logs and subsidiary computer systems have been developed to monitor inspector and accounts receivable activity.

The Housing Conservation Section has made an effort to create and implement inspector activity logs. However, this effort was interrupted by the earthquake and was not resumed until 1991. In addition, HCS has provided supervisory training through the Office of Personnel Resources and has contracted with vendors to provide customer service training to each of its inspectors. The Section has also adopted new methods and procedures to improve the effectiveness of code compliance.

Other departments also have each made efforts to improve services through management changes. For example, the Fire Department recently developed a detailed job description for the Fire Prevention Engineer and has attempted to develop a better system for monitoring the activities of this staff person. These efforts have continued despite continuing vacancies in supervisory positions within Fire Prevention, and service disruptions due to the 1989 earthquake and Smith Building fire. The Office of Parks and Recreation has provided much support to the City Council and citizens to develop an effective Tree Preservation Ordinance, and has implemented an effective program for the review and enforcement of tree removal permits.

Each of the departments has recognized many of the service enhancement needs identified in this report and indicate that they intend to implement corrective actions in the near future. These stated commitments by the departments are admirable and we commend their efforts to improve services. In some instances, we have recommended that departments report back to the City Council and City Manager on progress made with the implementation of specific recommendations (within specified time frames). It also would be appropriate for the City Manager to require that responsible department managers provide periodic reports on the status of implementation for all recommendations approved by the City Council.

Finally, it should be recognized that the accomplishments of these departments have occurred during a period of great difficulty for the City of Oakland. Since October 1989, the City has had to deal with major staff relocation and service delivery issues since City Hall was closed due to the earthquake. Repercussions from the earthquake are still felt by many of the departments subject to this study as each copes with workload generated by unsafe buildings. Further, service delivery by these departments was impacted considerably during this study by the fire at the Smith Building in March 1991.

## Survey of Other Comparable Jurisdictions

As mentioned previously, a survey of nine municipalities and two Bay Area counties was conducted regarding permit processing, construction inspection, and code enforcement organization, costs, and operations. These surveyed jurisdictions included:

- Alameda County
- Anaheim
- Berkeley
- Contra Costa County
- Fresno
- Glendale
- Long Beach
- Pasadena
- Sacramento
- San Jose
- Santa Ana

These jurisdictions were selected based on a number of criteria, including size, age, building stock profile, and proximity to the City of Oakland. While the jurisdictions' similarity to Oakland varies, each provided substantive contributions to the overall ability of our staff to analyze the programs which have been the subject of this management audit.

Survey responses were used to obtain a general understanding of programs in these other jurisdictions. The apparent similarities and differences between these jurisdictions and Oakland helped to identify topics for further study, and the experiences of these jurisdictions were sometimes used to help evaluate the need for change in Oakland. Throughout this report, the information provided by these jurisdictions was useful in illustrating examples of alternative means of service delivery, and providing indicators of "industry standards", many of which were found to be applicable to the City of Oakland.

A copy of the survey instrument, and a summary of survey responses is included as Appendix I.1.

## City of Oakland Ordinances and Codes

This study included a review of the organization and structure of the laws and regulations enforced by the City through permit processing, building inspection, and code enforcement activities of the involved departments. These laws and regulations include:

- Federal and State laws and regulations which are contained in various federal and State legislation and code sections;
- International and national construction trade standards; and,



- City of Oakland ordinances and codes.

Federal and State laws and regulations are maintained in standardized code books which are clearly indexed and available from libraries and book stores, as are current versions of international and national construction trade standards. Local ordinances and codes are maintained by the City Clerk and by each of the implementing departments. Some standard Oakland ordinance and regulation resources include:

- The Charter
- The Municipal Code
- The Planning Code and Zoning Regulations
- The Housing Code

In addition, various other ordinances and codes are maintained by the City Clerk and implementing departments as they are adopted by the City Council. An example of such an ordinance would include the "Interim Design Review" ordinance which was adopted by the City Council during the past year.

City of Oakland ordinances and regulations are generally well organized and accessible to the public. The City Clerk maintains a complete historical record of all ordinances and resolutions passed by the City Council. In addition, the departments maintain and periodically update consolidated code books and regulation books which are available to the public. Examples include the Oakland Sign Code (available through OPW), the Zoning Regulations (available through City Planning), and the Housing Code (available through OCD).

It is the responsibility of each of the departments to review and update ordinances and regulations which they administer, and the Development Services Department is presently developing a process to advise staff and the public of code changes through periodic code bulletins. However, no formal process exists for periodically reviewing or independently initiating changes to such ordinances and regulations. Rather, changes typically occur in response to specific legislative action by the City Council, to federal and State law changes which require action by the City, and department recognized need to change administrative provisions of ordinances and regulations. The creation or modification to local ordinances and regulations are initiated or prepared directly by the department charged with administration. The City Attorney advises departments on the language and form of proposed legislation, and on its legality. The City Clerk maintains records of legislative action once ordinances are approved.

Generally, our review found that these responsibilities are effectively administered by the departments reviewed. However, several other issues related to City ordinances and regulations surfaced during this study. These issues are discussed in various sections of this report, and include:

- The lack of a centralized resource for the public to be provided with all of the City requirements for building and construction (see Section 2 and 5).



- Testimony by the public and department staff that indicates the Development Controls Division of City Planning does not consistently interpret zoning regulations, requiring that all plan review staff approvals be checked by supervisors and managers, and resulting in frustration by line staff and the public over expected requirements (see Sections 3, 4, and 6).
- Testimony by the public and acknowledgement by supervisors that indicates the Building Inspectors do not consistently interpret building code sections and requirements, resulting in the need for direct supervisory intervention to resolve disputes between inspectors and builders (see Sections 3 and 4).

In addition to the recommendations contained in this report, the efforts of the departments in regard to these issues should be recognized. As stated previously, several departments have made efforts to consolidate certain codes and regulations in single resource booklets. Further, Development Services is presently developing a procedures manual for use by the public which will provide statutory and regulatory references (see Section 3). Also, the Development Services Department plans to implement a program for code bulletins which will be available to the public and sent to builders on a subscription basis (see Section 2).

With the exception of the issues discussed above, we therefore do not have any recommendations regarding the organization and review of ordinances and regulations by these departments. Provided sufficient public information is made available and prominently referenced; and appropriate procedures, supervision, and training are developed to provide for consistent code and regulation interpretation, we believe issues related to public and staff confusion will be reduced.

### Report Content

This report includes eleven findings which address issues related to the organization of services, customer satisfaction and quality assurance, management and supervision, training, data systems, zoning and building permit processing, construction inspection, enforcement of the Tree Preservation Ordinance, and the workload and enforcement activity of housing code inspectors. Recommendations which have been made in this report would significantly restructure services to provide centralized accountability and authority for building and neighborhood preservation services. This report emphasizes the City Council's desire to enhance customer services through increased efficiencies and effectiveness in service delivery.

We recognize that the proposed reorganization of services contained in Section 1 of this report could be controversial, and that the final organization of services adopted by the City Council could differ somewhat from what has been recommended. Although we believe the entire proposed reorganization is justified, the minimum reorganization which we believe is necessary includes the integration of fragmented code enforcement services into a consolidated

department which has a clear mission of enforcing the City's housing and property related codes.

We also believe it is essential to emphasize to the City Council and City Manager that this report reaches well beyond organizational issues, to the fabric of the way in which departments presently provide services. Although services could best be improved by merging like responsibilities under a single administrator, all of the recommendations related to customer services, management and supervision, training, data systems, permit processing, and code enforcement can be implemented without consolidation. If the organization proposal is not adopted by the City Council, it is critical that a coordinated process be established by the City Manager for consistent application of recommendations which cross department lines.

### Acknowledgements

We particularly would like to thank the Mayor and City Councilmembers, who all made themselves and their staff available to us during this study, and who candidly discussed their concerns regarding the services being provided by the departments who were subject to this study. Additionally, we would like to thank the many citizens and business persons in the Oakland community who volunteered their time and their concerns to insure that this report would be comprehensive.

Further, we would like to thank each of the department managers who made space available for our staff during times when such space was at a premium due to the fire at the Smith Building. The Office of Personnel Resource Management (OPRM) deserves special thanks for its generous contribution of space, equipment, and receptionist assistance during this study, even though OPRM was not the subject of the review.

Finally, it is important to note the contributions made by City employees throughout the course of this study. Many of these employees provided time and assistance to our staff which was invaluable. In addition to the employees who work for the departments which were under review, it was not unusual to receive unsolicited telephone calls from persons who work in other areas of the City but have occasion to interact with these departments in the course of their duties. Each of these persons contributed greatly to our understanding of service delivery in Oakland and to the quality of this report.



## SECTION 1: ORGANIZATION

THE FUNCTIONAL ORGANIZATION OF BUILDING PERMIT PROCESSING, NEW CONSTRUCTION INSPECTION, AND CODE ENFORCEMENT IN THE CITY OF OAKLAND IS FRAGMENTED, RESULTING IN DIMINISHED MANAGEMENT ACCOUNTABILITY AND AUTHORITY. ALTHOUGH INVOLVED DEPARTMENTS HAVE MADE EFFORTS TO BETTER COORDINATE STAFF ACTIVITIES BY ORGANIZING TOPICAL COMMITTEES TO IDENTIFY PROBLEMS AND SOLUTIONS, CENTRALLY LOCATING SOME FUNCTIONS, AND REORGANIZING SERVICES WITHIN PRESENTLY DEFINED DEPARTMENTAL PARAMETERS, SERVICE EFFECTIVENESS CONTINUES TO BE ADVERSELY AFFECTED. BY CENTRALIZING THE PRIMARY FUNCTIONS OF CONSTRUCTION PERMIT PROCESSING, NEW CONSTRUCTION INSPECTION, AND CODE ENFORCEMENT INTO A SINGLE DEPARTMENT, OPPORTUNITIES FOR FURTHER INTEGRATING SERVICES AND IMPROVING CUSTOMER SERVICES WILL INCREASE.

A primary objective of the Management Audit of the Permit Processing, Building Inspection, and Code Enforcement Functions in the City of Oakland has been to identify organizational opportunities for consolidating services. Toward this objective, the responsibilities of each of the involved departments have been closely examined, flow charts of the permit and code enforcement processes have been developed to identify organizational intersections and opportunities for merging disbursed responsibilities, and the organization of similar services in other jurisdictions has been reviewed.

### Description of Current Service Organization in Oakland

The City of Oakland presently divides construction permit processing, construction inspection, and code enforcement activities among three primary departments. These departments include:

- The Department of City Planning, which is responsible for the development and maintenance of the City's long-range land-use and transportation plans and other elements of the City's General Plan, the review of specific development plans to determine consistency with the City's design criteria and Planning Code, environmental review, administration of subdivision regulations, the enforcement of conditions of approval (CUPs) which have been issued by the Department, and the occasional enforcement of zoning regulations;
- The Office of Public Works (OPW), Development Services Department, which is responsible for the review of specific building plans for conformity with building, plumbing, mechanical, electrical, and other construction standards, the inspection of construction work-in-progress to insure that

construction complies with approved plans and conditions, and the enforcement of building regulations related to illegal construction; and,

- The Office of Community Development, Housing Services Department, Housing Conservation Section (HCS), which is responsible for enforcing the provisions of the City's Housing Code, Zoning Regulations, and the Blight Ordinance.

In addition to the activities of these departments, the Fire Department reviews all building plans for new construction, major remodeling, and renovation to determine consistency with the Uniform Fire Code, and performs final inspections on each of these projects prior to the issuance of a certificate of occupancy. The Office of Parks and Recreation (OPR) is responsible for the review of subdivision and commercial development landscape and tree planting designs and plans, and for the enforcement of the City's Tree Preservation Ordinance. The Police Department (OPD) performs abandoned vehicle abatement services on private property, as a component of its street vehicle towing program.

To support the activities of these departments, the City Attorney provides legislative and legal advisory services and represents the departments in litigation arising from illegal construction and code enforcement actions.

As part of this study, we were requested to evaluate the activities of the Office of General Services (OGS) as they relate to the 'undergrounding' of electrical, telephone, and cable utilities. However, because the role of OGS is restricted to the administrative task of developing utility assessment districts for the purpose of accomplishing 'undergrounding', but does not include the construction permit or inspection processes, it was determined that the OGS functions were organizationally unrelated to the services performed by the other departments reviewed.

### Linking the Major Functions of Planning, Building Permit Processing, New Construction Inspection, and Code Enforcement

As in all other California jurisdictions, land-use and the structure of buildings in the City of Oakland are controlled by complex sets of laws and regulations which govern the use of specific tracts of land, the construction of new buildings, and the alteration and maintenance of existing buildings. These laws and regulations are developed and enforced by the City in order to insure that land-use and the condition of buildings in the City contribute to the health and safety of its citizens, and supports the economic well-being of the community.

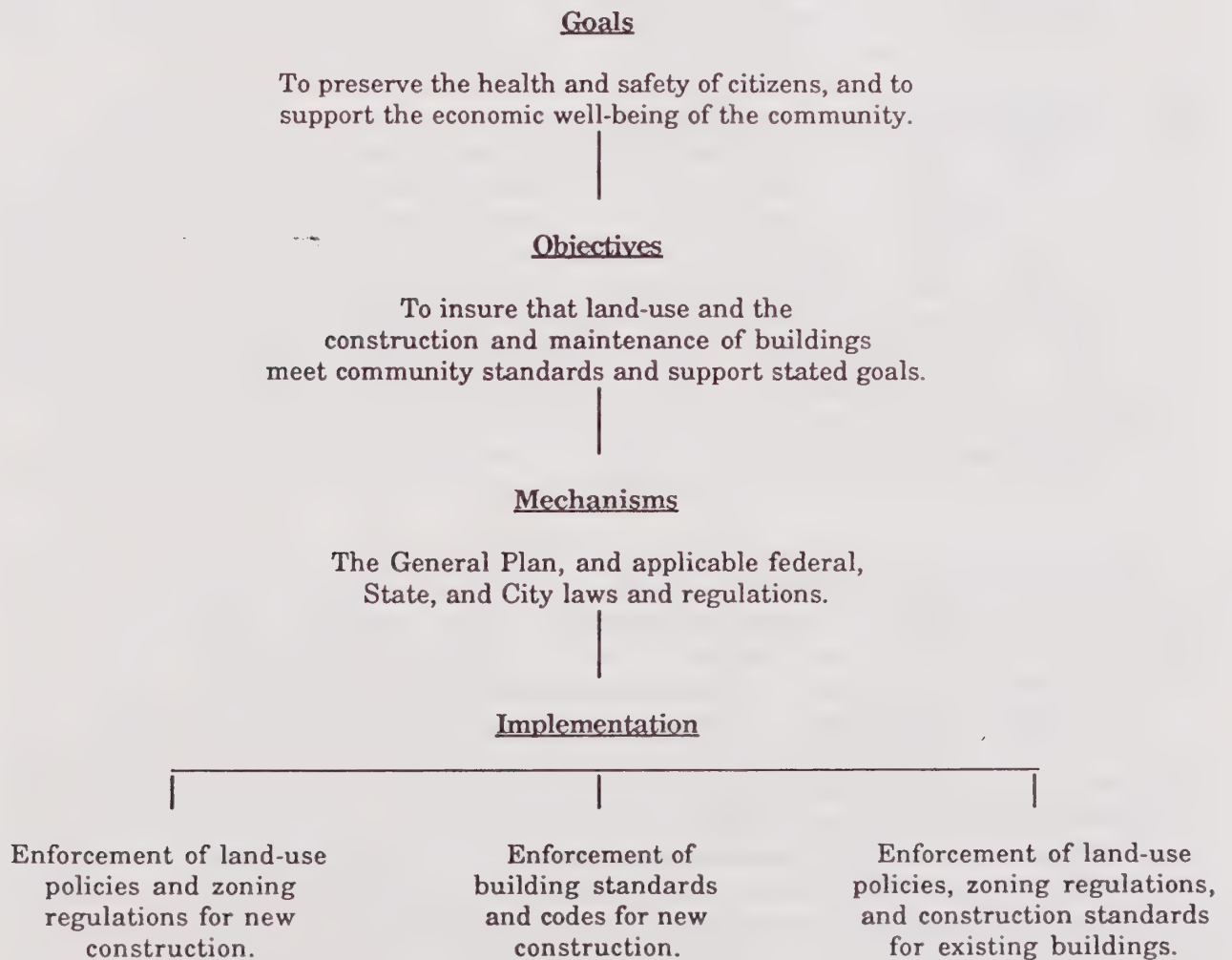
The building related objectives of the City, as portrayed through the laws and regulations which have been enacted by the City Council, are accomplished through four primary functions:

- 1) The development of the General Plan (i.e. land-use, transportation, and other elements), and of the Planning Code and other laws and regulations which govern land-use and buildings;



- 2) The enforcement of land-use policies of the City, as defined in the Planning Code and Zoning Regulations;
- 3) The enforcement of building standards for new construction, as defined in the various uniform building codes (construction trade standards), and ordinances adopted by the City Council;
- 4) The enforcement of community and building standards for existing structures, as defined in the Oakland Housing Code, Zoning Regulations, uniform codes, and various City ordinances.

The following model illustrates the relationship of these four primary functions to model goals and objectives of the City:



The three implementation functions presented in the model above are organizationally inter-connected through common City goals and objectives. These functions also include significant areas of shared responsibility and administrative overlay. The following examples illustrate the relationship among each of these functions:

- **Zoning and Building:** Requirements contained in the City's Planning Code can significantly influence new construction specifications since they affect design (building height, property line set-backs, ventilation and lighting, etc.) and use (such as single-family vs multiple-family structures). Therefore, in order for a building permit to be issued and plans to be approved, proposed projects must first meet the requirements of the City's Planning Code related to design and zoning. Consequently, the permit process requires involvement and interchange between Planning (which is responsible for land-use and design matters), and OPW and several other departments (which are responsible for builder compliance with construction standards) to insure that applicable land-use and construction policies, laws, and regulations are complied with by the builder.
- **Zoning and Code Enforcement:** Zoning Regulations govern land-use for specific properties within the City. Although properties may initially be constructed in a manner which conforms with all applicable zoning requirements, the use of that building may change either legally or illegally at some later date. For example, a building in an area zoned and constructed as an R-30 One-Family dwelling may illegally be converted to have a secondary living unit. This violation of the Zoning Regulations would be investigated and abated by HCS housing inspectors who would take steps to cease the illegal use; and may include involvement by Planning staff who may be requested to aid in the interpretation of the Zoning Regulations, or may become involved with an application for a conditional use permit by the building owner.
- **Building and Code Enforcement:** New construction standards are enforced to insure that buildings are constructed in a manner which is safe for human habitation. As buildings age and deteriorate, building systems may become dangerous and no longer meet standards which would otherwise be enforced for new buildings. For example, the investigation of a tenant complaint regarding the lack of heat in an apartment may disclose that heater venting has rusted, become disconnected, or otherwise damaged, resulting in the release of gases into living areas. Once repair work has been completed, housing code inspectors must be able to inspect the heater mechanisms to determine whether all venting has been properly repaired and meets with construction standards adopted by the City. These standards are the same as those enforced by Development Services construction inspectors for new construction, and in fact may require permits and inspection approvals by DS personnel. Both HCS and DS inspectors must therefore consistently apply standards to buildings within the City.



## Operational Consequences of the Existing Organizational Structure

The assignment of permit processing and code enforcement functions to multiple departments within the City has had many operational consequences. Most significant among these consequences has been the lack of central organizational accountability for all aspects of the construction permit and code enforcement processes. Inefficiencies resulting from insufficient coordination of activities and unclear lines of authority often results in protracted permit processing times, and inconsistent enforcement of the City's codes and regulations. Some examples of these inefficiencies are provided below:

- The requirement that building permit applications and plans be routed to various review stations in different departments increases total processing time, although some of this increased processing time would be necessary regardless of whether the building permit process continues to be conducted by different departments, or whether it is organizationally consolidated in some manner.

However, when reviewing permit processing operations, it becomes clear that the primary concern of each department is to identify alternatives for improving processing times for which only that department is responsible, and not for addressing extra-departmental matters which may impact total processing time.

- When reviewing permit applications and plans, the Fire Prevention Engineer in the Fire Department performs a duplicative review of certain construction requirements which are previously checked by planners and subsequently checked by building engineers. This level of review by the Fire Department exceeds that performed by fire departments in other surveyed jurisdictions and contributes to the processing time required to obtain fire permits by unnecessarily increasing Fire Prevention Specialist workload (see Section 7).

Fire Department staff recognizes that processing efficiencies could be achieved by relinquishing a portion of the current Uniform Fire Code plan review workload to OPW, but hesitates because of a concern that Fire Department life-safety matters may not be adequately addressed by engineers who have not been trained in fire prevention and safety.

- Inconsistent policies regarding fees for permit processing services exist among the various departments providing these services. OPW has a policy, and has been fairly successful at recovering nearly the full cost of services through fees. The Planning Department has been less aggressive regarding fees and cost recovery, and reportedly has implemented some recent fees only after intervention by the City Manager's Budget Office which is requiring that such fees be presented to the City Council for consideration. The Parks Department has a stated policy of only charging developers approximately 50 percent of the cost for processing tree removal permits.

- OPW is the only department that is actively developing a manual for use by the public and by staff regarding the building permit process. Based on discussions with the OPW staff person responsible for the development of this manual and a review of the draft document, the manual will be organizationally biased and will not include a comprehensive presentation of the requirements of all involved departments. Rather, the manual will essentially reflect OPW requirements and procedures only (see Section 3).
- The public and department staff report that often there are conflicting interpretations of building requirements by departments, and that procedural changes are not effectively communicated between departments. For example, HCS inspectors have stated consistently that they are not advised of changes to the building and zoning codes in a timely manner, making the fulfillment of responsibilities related to code enforcement more difficult.
- During the past five years OPW obtained and has been modifying an automated permit tracking system to provide basic record keeping capabilities for the Department. Although efforts have been made recently to expand this system for use by City Planning, no recognition of HCS needs related to the City's inventory of privately owned properties has occurred (see Section 5).
- It is specified in the Zoning Regulations that Planning shares zoning enforcement responsibility with HCS, and HCS inspectors have received some training in this regard. However, HCS inspectors must frequently rely upon expertise in the Planning Department to interpret Zoning Regulations.

Both HCS and Planning staff have expressed dissatisfaction with the current process of interchange regarding Zoning Regulation interpretation. Consistently, concerns were raised during interviews with HCS inspectors and Planning staff regarding the inadequacies of this process.

- City Council members, citizens, and several department persons have indicated that the public is often confused when wishing to inquire or complain about one of the subject City services. Several department staff persons indicated that organizational responsibility regarding code violation investigation and abatement is sometimes vague, and testimony was received which indicates that occasionally dual enforcement actions may be taken on subject properties. In addition, some citizens stated that often enforcement and permit processing staff will not respond to needs which fall outside of their specific scope of responsibility.

Taken separately, none of these examples would compel a reassignment or consolidation of permit processing, building inspection, and code enforcement functions in Oakland. However, taken together these examples indicate that isolating the management of these functions from one another hinders efficient



and effective operations and negatively impacts public services. Such hindrances include:

- Diminished organizational accountability by functional category of service, primarily as such accountability relates to permit processing and code enforcement;
- Diminished organizational authority for insuring that perceived problems with permit processing and code enforcement are addressed, and that customer services are enhanced;
- Diminished organizational understanding by City employees and the public of the roles and responsibilities of each of the participating departments; and,
- Inconsistent interpretation and application of City development and code enforcement policies and procedures.

The departments have all recognized the inefficiencies which occur due to the fragmentation of services, and have established processes to identify and reduce the occurrence of difficulties. In most instances, efforts by the departments involve regular meetings of management, supervisory staff, and functional line staff representatives. Committees such as that formed to coordinate code enforcement activities in the City consume inordinate amounts of staff time, and can involve City Manager Office and other high ranking personnel. Such meetings are costly to the City and often have limited success in resolving systemic problems which may fall outside of a single department's scope of responsibility.

In addition, after a space study conducted by a consultant for OGS, the City is examining ways to increase critical department interaction by locating similar functions in close proximity to one another. Already the City has established a building permit counter which is staffed by OPW and Fire Department personnel at 1330 Broadway. An expansion of this concept is being discussed by City staff, which envisions providing a facility for 'one-stop' construction permit services. Such a facility requires centralized responsibility for its activities and authority to take corrective action when required.

### Organization of Services in Other Municipalities

At the time of this writing we had received survey responses from all nine California municipalities. Of these, six jurisdictions provided organization charts and supporting documentation which clearly illustrate the current assignment of planning, building permit, construction inspection, and code enforcement functions. The results of these survey responses are as follows:

- The cities of Anaheim, Fresno, Long Beach, Pasadena and Sacramento have placed the principal functions of planning, building permit, construction inspection and code enforcement into a single department.

- The City of San Jose has consolidated building permit, construction inspection, and code enforcement functions into a single department. The Planning Department in San Jose remains separate. All departments function as part of a larger Community Services Agency.

The population of each jurisdiction and the names of the departments' providing services are provided below:

**Table 1.1**

**Populations and Names of Departments Providing Planning,  
Permit Processing, Building Inspection, and Code Enforcement Functions  
In Other California Municipalities - June 1991**

State of California Department of Finance		
<u>Jurisdiction Name</u>	<u>1989 Population Estimates</u>	<u>Department</u>
Anaheim	244,300	• Planning Department
Fresno	317,800	• Development Department
Long Beach	419,800	• Planning and Building Department
Pasadena	132,200	• Planning, Building, and Neighborhood Services
Sacramento	339,900	• Planning and Development Department
San Jose	738,400	• Planning Department • Neighborhood Preservation Department
Oakland	356,300	• City Planning • Office of Public Works • Office of Community Development

Despite these broad similarities, a review of detailed survey responses and follow-up discussions with representatives from the offices of the city manager from each responding municipality indicate that each provides services somewhat differently from the others. However, the following general profile of the surveyed group exists:



- All jurisdictions have consolidated code enforcement activities to a greater extent than in the City of Oakland. Most municipal respondents have included private property weed abatement, abandoned vehicle abatement, graffiti abatement, zoning enforcement, and housing code enforcement in a consolidated code enforcement department or division.
- Several jurisdictions continue to have public works agency engineering involvement with major subdivision or commercial development construction plan review since these projects often involve private construction of public improvements (such as streets and sewers), encroachments on public land, and easements.
- Most jurisdictions continue to have the fire department involved with a review of construction plans which include sprinkler systems, fire extinguishing devices, fire suppression pumping systems, hazardous materials storage, and other types of technical fire safety related systems and devices. Some jurisdictions report that fire prevention engineer plan review has been wholly incorporated into the engineering plan check function performed by development services personnel, with fire department involvement only on projects of an unusual or extremely technical nature.

Discussions with representatives from these jurisdictions also indicate a general satisfaction with the manner in which services are provided by their consolidated department.

It has been recognized by representatives of municipalities reporting a consolidated department, that both official and unofficial functional divisions continue to exist under the combined organization, although most indicate that it is probably easier to obtain consensus on operational issues with a single department administration than it would be with multiple managers. Some jurisdictions report difficulties with management bias which has existed in their consolidated departments. One jurisdiction, which has operated a consolidated department under a manager with a planning background, reports that the building and code enforcement divisions in that department "kind-of run themselves".

In all jurisdictions, functional areas such as advanced planning, current planning, engineering services, inspection services, and code enforcement have remained distinct even though combined under a single department management structure. Reportedly, staff bias remaining from periods prior to consolidation have continued in some jurisdictions, further distinguishing service areas, and in some cases influencing cooperation and the ability of management to accomplish objectives.

Most other jurisdictions have not established a strong, centralized public services section within their departments. Most citizen referrals and complaint processing systems are fragmented, even within the consolidated department. Although all code enforcement complaints are typically received and processed by

one division of each department, citizen complaints for matters other than code enforcement tend to be processed hierarchically from line staff, to supervisors, to division managers, and finally, to the department manager. City Council and City Manager referrals typically are handled directly by a high ranking department official, such as the assistant director.

### **Consolidation of Permit Processing and Code Enforcement Activities**

The permit processing, construction inspection, and code enforcement activities in the City of Oakland could be better coordinated and integrated with a customer service focus. To best serve the public, functions should be consolidated so that services are provided under one organizational mandate with centralized quality assurance. To the extent possible, functional overlaps should be reduced and a cohesive understanding of land-use and construction related matters should be developed.

In order to address these concerns regarding the coordinated provision of construction permit and code enforcement services, an organizational structure should be developed which incorporates strong central authority and accountability. Such an organization would be more responsive to land-use and building safety issues; federal, State and City laws and regulations; Council, commission and City Manager policy and directives; and public concerns.

### **Planning and Permit Processing**

The construction related responsibilities of the Planning Department can be characterized as: 1) those which are required for the development of the City's long-range plan policies (General Plan) and the ordinances and regulations necessary to accomplish that plan; and 2) those which are required to implement the long-range plan through the enforcement of federal, State, and City laws and regulations. The preparation of the General Plan and other long-range planning activities (including the development of recommendations for modifications to the Planning Code) are performed by the *Planning Services Division* of the Planning Department. The enforcement of the laws and regulations necessary for the implementation of the City's planning policies are performed by the *Development Controls Division* of the Planning Department. The current organization of the Planning Department is included as Appendix 1.1.

### **Advanced Planning**

Activities involving the development of land-use policies and the laws and regulations which govern buildings support the legislative functions of the City Council, and require the ability of staff to assess land-use and building related concerns of the community and appropriately portray those concerns to elected officials. Therefore, the development of General Plan and Planning Code recommendations, conducted primarily by the Planning Services Division of the Planning Department, requires that staff be familiar with community sensitivities as they relate to land-use and zoning issues.



In Oakland, advanced planning has not occurred at a level which otherwise might be considered appropriate, due to historically insufficient staffing levels. Planning staff involved in advanced planning have had to assume current planning activities such as environmental impact review on major development projects reviewed by the Planning Commission. Elements of the General Plan have not been up-dated for several years, and other planning activities desired by the City Council have been delayed, such as comprehensive neighborhood plans, and General Plan elements for historic buildings, noise, open space, and others.

### Current Planning

The remaining Planning Department functions involve the implementation of applicable land-use and building-related laws and regulations enacted by the federal government, the State, and the City. These functions, many of which are provided by the Development Controls Division of the Planning Department through the EIR, zoning review, and design review functions, involve the administrative implementation of planning and building legislation.

The *Development Controls Division* performs three administrative building permit processing functions:

- Environmental Impact Review, which includes the review of development projects to determine whether an environmental impact exists as defined in the California Environmental Quality Act (CEQA). If no environmental impact is determined to exist, then a 'negative declaration' is issued. If an environmental impact is identified, the extent of the impact is determined and an Environmental Impact Report (EIR) is generated.
- Zoning Review, which includes a review of the detailed construction plans to insure that the proposed project conforms to the City's Zoning Regulations and applicable federal and State law. This review requires an evaluation of the appropriateness of the proposed use and the potential need for a conditional use permit or a variance from the Zoning Regulations. Zoning review includes Design Review, which is a two-stage process for meeting with developers prior to the preparation of detailed construction plans to review the City's development policies as they relate to the specific project which is being proposed (pre-application design review), and for reviewing conceptual drawings to determine whether the proposed project conforms with the City's development policies as they relate to the construction site, building height and profile, architectural style, and other features.
- Subdivision Administration, which includes a review of the proposed subdivision to insure that the project design is in accordance with the Zoning Regulations. The Planning Department coordinates the review of applications with other City departments, particularly the Engineering Services Unit of the Development Services Department.

Under the present organization in Oakland, the Planning Department must therefore be capable of bridging its legislative support function of assessing community sensitivities and formulating public policy, with the administrative task of implementing the planning related policies, laws, and regulations of the City. Discussions with the public and staff indicate that distinctions between policy development and policy implementation functions within the Planning Department are sometimes not clear, and consistent interpretation of policies for specific development projects may not always occur (see Section 3).

#### Planning and Office of Public Works Reorganization

Because of the strong link between the activities of the Development Controls Division of the Planning Department and the Development Services Department of OPW, and because of the regulatory role of these operations, consolidation of these functions under one director with singular administrative authority should occur. Such a consolidation would be consistent with practices in several other comparable California municipalities regarding the provision of permit processing and construction inspection services.

However, during interviews concerns were expressed that if the functions of the Planning Services Division of the Planning Department were consolidated with the functions of the Development Services Department of OPW, the integrity of land-use and development policy and ordinance formulation in the City may be compromised. Building departments are often viewed as having a less restrictive view toward development than do planning departments. Consolidated building and planning departments are sometimes perceived as not being as sensitive to the community regarding land-use issues and architectural design as are separate and distinct planning departments. As has been reported in other jurisdictions, the technical bias of the manager in a combined department can influence the emphasis of management and the focus of energies by the organization.

The concern that manager bias can affect the operations of a consolidated department is valid, requiring that the selection of a manager be carefully accomplished so that the qualifications of the individual best reflect the needs of the City. In order to reduce this concern, *advanced* planning functions (the Planning Services Division of the Planning Department) could be located within an organizational entity which would be distinct from Development Services, while consolidating the *current* planning activities performed by Development Controls with the activities of the Development Services Department. By organizing services in this manner, there also would be less of a tendency for current planning activities to take precedence over advanced planning needs.

The Planning Director indicates that retaining a direct organizational link between current and advanced planning functions is essential for insuring consistent implementation of planning policy, and a clear understanding of current planning issues which affect the development of planning policy and law by advanced planning staff. Similarly, the Planning Director has stated that a more direct relationship is needed between advanced planners and code



enforcement personnel so that planning policy can be developed in response to trends in code violations. Further, the Planning Director believes that the Planning Commission should have a single administrative authority which manages its calendar and is responsible for responding to Commission needs.

These points are valid. However, interaction between advanced planners and current planners does not need to occur under a single administrative organization to be effective. A primary role of an advanced planning unit, whether separate or joined organizationally with current planning, is to assess community sensitivities and land-use needs in order to formulate policy recommendations. Advanced planners do not necessarily need to be regularly involved with current planning activities. It is only necessary that systems be established for advanced planners to monitor current planning activities and trends so that policy and law are correctly formulated; and so clear interpretations of such policy and law are developed and provided to current planning staff for implementation. Effective procedures for accomplishing these objectives can be developed without organizationally joining the advanced and current planning functions. As information resources and communications are improved through the implementation of recommendations contained throughout this report, the objectives of the advanced planning unit will be more easily achieved.

Similarly, services to the Planning Commission can be effectively divided between an advanced planning unit and current planning unit, whether or not these units are organizationally joined. Most activities of the Planning Commission involve current planning matters, and the secretary to the Planning Commission function presently is provided by the Senior Planner who is administratively responsible for the plan check, code enforcement, and 'Commission Cases' activities of the department. When advanced planning matters are brought before the Commission, these are generated and presented independently by the Manager of Planning Services (advanced planning). A similar arrangement could occur if advanced planning and current planning functions were organizationally separate. For instance, Planning Commission calendars could be set by a committee which would include the Chairperson of the Commission, the manager of Planning Services, and the manager of Development Controls. Planning Commission reports could be generated separately by each of the organizational units, or jointly when appropriate.

We therefore recommend that the City Council establish a separate department of advanced planning. The City Council should consider broadening and redefining the role of the new Department of Planning to include more comprehensive neighborhood planning, City-wide strategic planning, municipal facility planning (such as assuming the responsibility for current space planning efforts conducted by the Office of Governmental Services), City marketing, and other similar functions. Further, a renewed emphasis should be placed on updating General Plan elements and other activities which have been adversely affected by City Planning's need to continually focus on current planning responsibilities.

Our study did not include a comprehensive review of the manner in which several of these suggested additional functions are presently provided in Oakland. Therefore, it would be appropriate for the City Council to convene a task force with representatives of the Mayor and City Council, City Manager, Planning, the Office of Governmental Services, the Office of Economic Development and Employment, the Office of Community Development, and others, as appropriate, to better define the role of an integrated and expanded planning function.

We also agree with the Planning Director that it is critical for a strong link to continue to exist between advanced planning and current planning so that land-use and neighborhood planning policy is formulated according to need, and current planning activities appropriately reflect City planning policy and law. Therefore, appropriate reporting mechanisms must be established by the new offices so that activities and concerns of current planning can be monitored by advanced planning staff. Systems to insure communication and coordination of activities of the two offices need to be developed and implemented as part of the reorganization. The Planning Commission would play a critical role insuring that the formulation and implementation of planning policy consistently occurs through Commission review and action on both current and advanced planning matters.

Therefore, the City Council should:

- Consolidate the functions of the Development Controls Division of the Planning Department with the functions of the Development Services Department of the OPW, under one office with singular administrative authority.
- Elevate the Planning Services Division to a separate and distinct office of the City Manager.
- Appoint and convene a task force of Mayor, City Council, City Manager, and department representatives to better define a Department of Planning with a broadened and redefined role which could include enhanced neighborhood planning, strategic planning, municipal facility planning, marketing, and other functions.
- Direct the City Manager to develop reporting mechanisms and systems to insure communication and coordination of activities between the proposed new building services office and the Department of Planning.

With the consolidation of Development Services and Development Controls into a separate department, OPW would be reduced in size by about 17 percent and would assume a somewhat different character than presently.

This study only reviewed the activities of the Development Services Department, and did not include a review of the activities of other divisions within OPW. With the recommended consolidation the City should also explore the transfer of the Engineering and Design Department and Real Estate Division of



OPW to the proposed new office. Under this suggested further reorganization, the Office of Public Works would become a maintenance services department for public properties and rights of way, while the proposed new office would become responsible for overseeing both private and public-sector development in Oakland. Therefore the City Council should:

- Direct the City Manager to evaluate the organizational consequences from placing the Real Estate and Engineering Services departments of OPW into the proposed new office.

Three other activities presently related to permit processing and plan review should be considered by the City when evaluating this reorganization proposal:

1) Landscape Plan Review, for subdivisions and major commercial development is presently provided by OPR and conducted by the horticulturist and arborist staff assigned to that Office. This function should be retained by OPR at this time. Currently, expertise for these services exists within OPR and no evidence of significant delays due to OPR involvement in the landscape plan review process were identified during this study. In addition, present workload is insufficient to justify adding horticulturist and arborist expertise to the proposed new office at this time. Should landscape plan review workload increase in the future due to a change in the character of development or in City policy, a reassessment of the placement of this function into the proposed new office should be conducted. A comprehensive analysis of this function and workload is included in Section 9 as it relates to the enforcement of the Tree Preservation Ordinance.

2) Fire Code Plan Review workload would be reduced significantly by transferring responsibility for Uniform Fire Code plan review from the Fire Department to the Development Services Department of the new office, through the elimination of duplicative plan review steps (see Section 7). With the transfer of this function it is recommended that the two Fire Prevention Engineer positions now assigned to the Fire Department be assigned to the engineering plan check unit of the new office to check plans for compliance with technical fire prevention, fire suppression, and hazardous waste storage systems and devices. This will provide the technical expertise within the Development Services Department of the new office to insure the appropriateness of plans with technical fire and hazardous material requirements. With these transfers, procedures should be established to insure that Fire Department concerns related to technical fire code construction standards are addressed.

3) Tree Preservation Plan Review and Inspection should continue to be performed by the Office of Parks and Recreation. Current workload does not justify the placement of a full-time arborist/inspector in the proposed new office, and the separation of this function from OPR would significantly affect the integrity of the integrated tree preservation activities of the City. A comprehensive analysis of these functions is included in Section 9 regarding the enforcement of the Tree Preservation Ordinance.

## Code Enforcement

Code enforcement activities of the Housing Conservation Section of OCD have a strong link between the zoning regulation activities of the City Planning Department and the building code regulation activities of the Office of Public Works. HCS inspectors must be familiar with zoning requirements and with construction standards in order to enforce the Housing Code and various other regulations in the City. As discussed previously, HCS inspectors often require interpretations of the Zoning Regulations from Planning Department staff; and enforce the standards of the various uniform building codes when inspecting a complaint or the completion of required repair work.

In addition, the current organizational placement of code enforcement within the Housing Conservation Division of the Office of Community Development results in a less effective code enforcement program than may otherwise be desired by the City Council and City Manager. Discussions with OCD and HCS managers and supervisors indicate that they perceive the Section's role to be one in which inspectors work with property owners to obtain non-confrontational compliance with the City's codes. In addition, the alignment of the enforcement function with other Housing Conservation activities provides a direct link with low cost loan programs and subsidies for property owners to renovate their properties.

Yet during interviews many HCS inspectors revealed their frustration with the 'enforcement philosophy' of management. Many indicated that inspectors are restricted from taking aggressive action against property owners because of management directives. One inspector stated that in spite of what he perceived as directives from the City Council and City Manager to be more aggressive with housing code enforcement, management has been reluctant to elevate enforcement actions to a level where significant sanctions may be taken against a property owner. Our review of HCS workload indicates that enforcement actions such as clean-up/board-up, notices to abate violations, or other more serious enforcement actions are not performed in a timely manner. In addition, reinspection fees (which should be charged after a property owner fails to reach compliance within the specified inspection time frame), are not being charged to the extent possible under the City Housing Code (see Section 11).

Further, Housing Inspectors state that very few property owners are referred into low cost housing rehabilitation loan or grant programs through HCS enforcement activity. Rather, the vast majority of code violations are voluntarily corrected by property owners with minimal interaction with the HCS staff. A process for referring property owners to housing rehabilitation programs could be established no matter where the code enforcement function is located.

Because of the alignment of the code enforcement function with the activities of zoning regulation and uniform code enforcement functions in the City, the functions now provided by HCS should be consolidated with the services to be provided by the Development Controls and Development Services departments of the proposed new office. With this transfer, a process should be



established to insure that appropriate referrals to the OCD Housing Services Department are made for any property rehabilitation services which may be available to property owners.

In order to further centralize City-wide code enforcement activity and improve customer services, the following intra-departmental and inter-departmental code enforcement functions should be incorporated into the new code enforcement department. This consolidation would be consistent with practices in other municipalities, and would permit the City to more effectively coordinate enforcement activities which may cross multiple code boundaries:

- Zoning Regulation Enforcement is generally performed by HCS staff. However, Planning Department Zoning Inspector staff assigned to the enforcement of conditions of approval often will investigate a zoning regulation complaint when received directly from the public, or through the offices of the Mayor, City Council, or City Manager. The investigation and enforcement of zoning regulation violations should be entirely performed by the code enforcement division of the proposed new office. Zoning Inspectors presently assigned to the Development Controls Division of Planning should be transferred to the new division to assume this function, as well as CUP compliance functions described below.
- Conditional Use Permit (CUP) Enforcement should be transferred from the Development Controls Division of Planning to the code enforcement department of the proposed new office. These inspections are clearly zoning code enforcement activities which are conducted to insure that property owners comply with requirements established by the City when conditions of approval are required. Such an activity would appropriately be consolidated with other zoning-related code enforcement functions in the City. Zoning Inspectors presently assigned to the Development Controls Division of City Planning should be transferred to the new division with this function.
- Illegal Construction Abatement should be transferred from the Development Services Department of OPW to the code enforcement department of the proposed new office. The code enforcement staff presently assigned to this function in Development Services should be retained by the new Development Services Department to reduce peak season construction inspection workload and scheduling delays (see Section 8). However, during the period of the year when construction activity is less, inspectors assigned to new construction inspection should be rotated into the code enforcement division to perform code enforcement activities. During peak construction periods, illegal construction abatement would be added to the duties of the Housing Inspector staff.
- Weed Abatement on public and private vacant lots is presently performed by OPW Maintenance Services Division personnel. The City contracts directly to have private property cleaned when the property owner does not voluntarily comply with clean-up requirements, after referral by OPW Weed Abatement program staff. Public property lot cleaning is

administered by the same OPW Weed Abatement Program staff, and cleaned directly by OPW Maintenance Services personnel upon referral.

The public and private vacant lot Weed Abatement Program function should be transferred from OPW to the code enforcement division of the new office. Some private property vacant lot weed abatement enforcement duties can be assumed by existing Housing Inspector staff in the course of their other code enforcement duties. However, the analyst, semi-skilled laborers, and clerical staff (5 Full-Time Equivalent positions) which presently perform the Weed Abatement Program administration function in OPW should be transferred to the code enforcement department of the new office to administer a comprehensive private and public vacant lot weed abatement program. Private property should continue to be cleaned by a contractor if other enforcement actions fail. Public property should continue to be cleaned directly by OPW Maintenance Services staff through a formalized referral process.

- Abandoned Vehicle Abatement (private property) is presently performed by OPD police officer staff. This function should be transferred from the Police Department to the proposed new office, although some continued Police Department support may be necessary. Existing Housing Inspector staff should assume this function and the police officer position performing this function in OPD should be transferred to other law enforcement duties.
- Graffiti Abatement (private property) is presently performed by OCD Housing Division staff. OCD is presently implementing the transfer of this function to HCS. This function should be assumed by the proposed new office, consistent with organizational policy presently being considered by the OCD.

The code enforcement department which would be created in the proposed new office could be named the "Neighborhood Preservation Department" rather than Housing Conservation, to reflect a broader role characterized by the assumption of weed abatement, abandoned vehicle abatement, graffiti abatement, and conditional use permit compliance activities. This name is consistent with that presently used by the City of San Jose for a division with similar responsibilities.

In addition, the 'Clean Community' program presently operated from OPW administration could be transferred and potentially expanded from 1.5 FTE in the code enforcement division of the proposed new office. The City of Sacramento operates an aggressive neighborhood clean-up program from its Neighborhood Services Division in a coordinated effort with code enforcement activities of inspector staff.

A further benefit from consolidating code enforcement activities into the proposed new office would be a more direct link between community needs and expectations, and the development of land-use, design, and building standards policy of the City. By centrally organizing all code enforcement activities, housing and land-use violation trends can be better monitored and communicated to bodies such as the proposed Department of Planning and the Planning Commission.



Through improved information and communication of need, strategic approaches to identifying and correcting deficiencies with the City's General Plan or with Zoning Regulations can more effectively occur.

### **Organizational Function and Accountability**

Given the reported organization in surveyed jurisdictions, and the clear need to consolidate authority and accountability for the services being reviewed, we have developed a Proposed Functional Organization Chart for the City of Oakland—Permit Processing, Construction Inspection, and Code Enforcement. For purposes of this analysis, the proposed new office has been named the "Office of Building and Neighborhood Preservation". However, depending on the characteristics for the new office which are chosen by the City, the name used for purposes of this analysis should be modified. The summary Proposed Functional Organization chart is provided on the following page. Detailed organizational charts are provided as Appendix 1.2.

The proposed office has been divided into three operational departments:

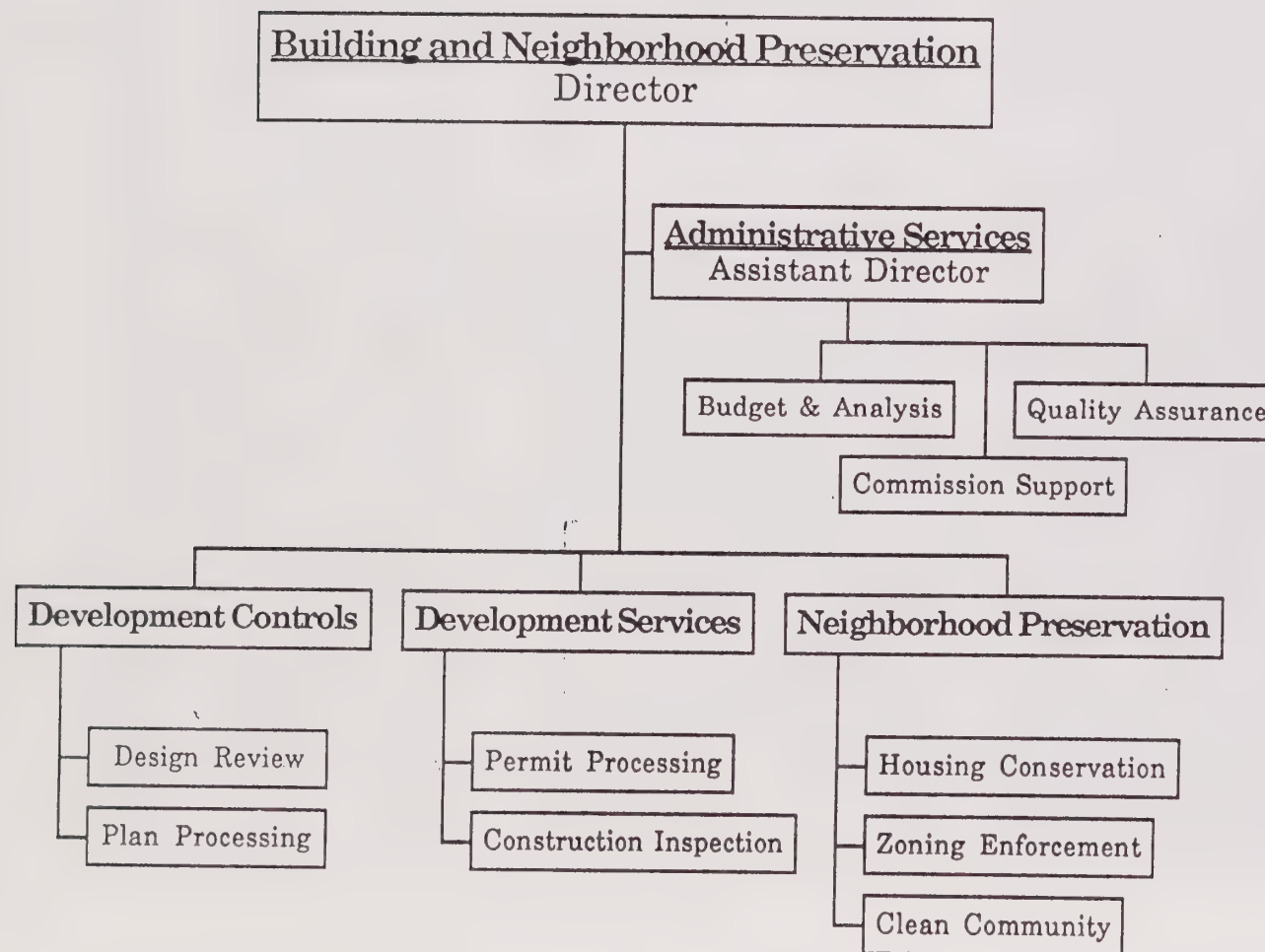
- 1) The 'Development Controls Department', which includes the current functions of design review, zoning review, environmental impact review, and subdivision administration;
- 2) The 'Development Services Department', which includes the current functions of permit processing, engineering plan check, and new construction inspection; and,
- 3) The 'Neighborhood Preservation Department', which includes the functions of housing conservation, zoning enforcement, and the "Clean Community" Program, as described above.

In addition, an 'Administrative Services Division', managed by the Assistant Director of the Office, would include budget and analysis, commission support, and quality assurance functions for the proposed new office.

Through this Administrative Services Division centralized authority and accountability for Office functions would be insured. The Assistant Director will be responsible to report and make recommendations on Department operations to the Director, through the management functions of:

Budget and Analysis—which will provide centralized budget development and monitoring, fee for service cost analysis, and program analysis.

City of Oakland  
Proposed Office of  
Building and  
Neighborhood  
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Commission Support—which will provide direct staff services to the Planning Commission, Landmarks Commission, and Housing Advisory Appeals Board, and will serve as a representative on the various administrative hearing committees required by City codes. Technical support for the Commissions would be provided by staff assigned to the appropriate operating departments (for instance, Neighborhood Preservation Department staff would provide support for the Housing Advisory Appeals Board). The Department of Planning, recommended as part of the larger proposal, would also staff the Planning Commission for advanced planning matters related to planning policy and code development.

Quality Assurance—which will integrate a system for:

- Responding to citizen complaints, which enter the Department directly or through the offices of the Mayor, City Council and City Manager. This program would be directly linked to the City-wide citizen complaint function discussed in Section 2;
- Conducting program monitoring to identify means for making programs more cost effective, more responsive to the needs of the community, and more timely;
- Performing community outreach activities, such as coordinating and preparing informational materials, representing the Office at neighborhood association and developer meetings, and conducting public education campaigns; and,
- Coordinating and performing training which is determined to be appropriate through Council, commission, and citizen interaction, and analytical and program monitoring activities.

Citizen services and training recommendations are discussed more thoroughly in Sections 2 and 4.

With approval of the proposed organization by the City Council, the Planning Code, Housing Code, and other codes and implementing ordinances which delegate authority for providing planning, permit processing, construction inspection, and code enforcement functions within the City will need to be revised to reflect the reorganization of service responsibility. The City Council should direct the City Attorney to prepare appropriate legislation to implement organizational changes once the final organization form has been determined.

### Implementation Costs

Most of the proposed reorganization of planning, permit processing, construction inspection, and code enforcement functions in the City of Oakland can be implemented at no cost through the transfer of existing staff to new or re-structured departments. However, some cost factors must be considered by the City should the proposed reorganization be adopted by the City Council:

- The creation of a new office without eliminating existing departments will result in the need to add an additional manager, assistant manager, and executive secretarial support within the City. Because the duties, responsibilities, and scope of authority for the manager would need to be specifically defined based on the actual reorganization adopted by the City Council, precise cost estimates were not determined. However, it can be estimated that the cost of salaries and benefits for a director, assistant director, and executive secretarial support would not exceed \$250,000 annually.
- Should the City Council determine that it is appropriate to modify and expand the scope of the advanced planning function in the City to include enhanced neighborhood planning, strategic planning, facility planning, marketing, and other related functions, additional professional planning staff positions would be required. Costs cannot be estimated at this time.
- Additional staff positions will be required to implement the Administrative Services Division component of the new office. Although analytical and clerical staff required for Budget and Analysis, Program Monitoring, and Commission Support could be drawn from existing resources within Planning, Development Services, and Housing Conservation, additional personnel required to perform the citizen services function will be required. Costs for these positions are estimated in Section 2.
- Should the City Council determine that an expanded 'Clean Community' program is appropriate, additional staff may be required. The City Manager should be directed to develop a proposed staffing and cost plan for this function based upon the scope of services determined appropriate by the City Council.

## Conclusions

The functional organization of Building Permit Processing, new construction inspection, and code enforcement in the City of Oakland is fragmented, resulting in diminished management accountability and authority. Although involved departments have made efforts to better coordinate staff activities by organizing topical committees to identify problems and solutions, centrally locating some functions, and reorganizing services within presently defined departmental parameters, service effectiveness continues to be adversely affected.

## Recommendations Requiring New Costs

The City Council should:

- 1.1 Consolidate the functions of the Development Controls Division of the Planning Department with the functions of the Development Services Department of the OPW, under one office with singular administrative authority.



- 1.2 Consolidate code enforcement functions now provided by Housing Conservation with the services to be provided by the Development Controls and Development Services departments of the proposed new office.
- 1.3 Create an 'Administrative Services Division' of the proposed new office which includes budget and analysis, commission support, and quality control functions.
- 1.4 Elevate the Planning Services Division of the Planning Department to departmental status.
- 1.5 Direct the City Manager to conduct a staffing and cost proposal for a director, assistant director, and executive secretarial support, as described in this report. Authorize the proposed staffing and costs with the implementation of the proposed new office.

#### Recommendations Requiring No New Costs

The City Council should:

- 1.6 Appoint and convene a task force of Mayor, City Council, City Manager, and department representatives to better define a Department of Planning with a broadened and redefined role which could include enhanced neighborhood planning, strategic planning, municipal facility planning, marketing, and other functions.
- 1.7 Transfer responsibility for Uniform Fire Code plan review from the Fire Department to the Development Services Department of the new office.
- 1.8 Transfer the two Fire Prevention Engineer positions now assigned to the Fire Department to the engineering plan check unit of the new office to check plans for compliance with technical fire prevention, fire suppression, and hazardous waste storage systems and devices.
- 1.9 Transfer Zoning Regulation enforcement and conditional use permit (CUP) compliance monitoring to the code enforcement department of the proposed new office.
- 1.10 Transfer zoning inspector staff presently assigned to the Development Controls Division of Planning to the new code enforcement department of the new office.
- 1.11 Transfer the illegal construction abatement function from the Development Services Department of OPW to the code enforcement department of the proposed new office (no staff transfers).

- 1.12 Transfer the private property weed abatement function from OPW Maintenance Services to the code enforcement department of the new office. Private property should continue to be cleaned by contractors; public property should continue to be cleaned directly by OPW personnel.
- 1.13 Transfer the five OPW Weed Abatement staff to the code enforcement department of the proposed new office.
- 1.14 Transfer the abandoned vehicle abatement (private property) function from the Police Department to the code enforcement department of the proposed new office (no staff transfers).
- 1.15 Transfer the graffiti abatement (private property) function to the code enforcement department of the proposed new office, consistent with organizational policy presently being considered by the OCD (no staff transfers).
- 1.16 Transfer the 'Clean Community' function from OPW administration to the code enforcement department of the proposed new office.
- 1.17 Transfer the 1.5 FTE positions assigned to the OPW 'Clean Community' program to the code enforcement department of the proposed new office.
- 1.18 Direct the City Attorney to prepare appropriate legislation to implement organizational changes based upon the final organization form.

The City Manager should:

- 1.19 Evaluate the organizational consequences of placing the Real Estate and Engineering Services departments of OPW into the proposed new office.
- 1.20 Establish a process to insure that reporting mechanisms and systems for communication and coordination of current planning and advanced planning activities are developed and implemented by the proposed new office and the proposed Department of Planning.
- 1.21 Establish a process to monitor landscape plan review activities conducted by OPR, and reassess the placement of this function into the proposed new office if workload should increase in the future.
- 1.22 Establish a process to insure that appropriate referrals to the OCD Housing Services Department are made for any property rehabilitation services, loans, or grants which may be available to property owners with housing code violations.
- 1.23 Evaluate the mission, staffing, and cost of an expanded 'Clean Community' program as a policy matter to be considered by the City Council.



## Costs and Benefits

Implementation of the proposed recommendations would cost an estimated \$250,000 for additional director, assistant director, and executive secretary staff. No other costs would occur from functional and staff transfers. The following additional costs would occur, but cannot be estimated until specific reorganization policy is adopted by the City Council:

- The cost for professional planning staff to implement a modified and expanded advanced planning function.
- The cost for a centralized citizen services function within the Administrative Services Division, separately estimated in Section 2.
- The cost for an expanded 'Clean Community' program, based upon specific City Manager recommendations and City Council policy determinations.

By centralizing the primary functions of construction permit processing, new construction inspection, and code enforcement into a single department, opportunities for further integrating services and improving customer services will increase. By separating the advanced and current planning functions and establishing sound procedures for communicating information and policy interpretations among the proposed Department of Planning and Office of Building and Neighborhood Preservation, current planning activities will not take precedence over advanced planning needs, and the potential for adversely affecting planning policy through manager bias will be reduced.

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## SECTION 2: CUSTOMER SATISFACTION & QUALITY ASSURANCE

THE DEPARTMENTS OF CITY PLANNING AND DEVELOPMENT SERVICES AND THE HOUSING CONSERVATION SECTION OF OCD HAVE ONLY RECENTLY BEGUN TO CONSIDER METHODS TO IMPROVE CUSTOMERS SATISFACTION WITH SERVICES, AND HAVE DONE LITTLE TO ADDRESS THE INTERNAL CONTROL ISSUES OF QUALITY ASSURANCE. TAKING ACTION IN THE FOLLOWING FOUR AREAS WILL PROVIDE THE MEANS TO REDIRECT THE ORGANIZATIONS' CUSTOMER SERVICE EFFORTS AND EVENTUALLY WILL INCREASE ORGANIZATIONAL EFFICIENCY AND EFFECTIVENESS AT REDUCED COST: (1) TRAIN FOR CUSTOMER SERVICE, (2) IMPROVE INFORMATION SYSTEMS INTERNALLY AND EXTERNALLY, (3) CREATE A QUALITY ASSURANCE SECTION, AND (4) CREATE A CENTRALIZED CITY COMPLAINT TRACKING AND INFORMATION SYSTEM.

### Improving Customer Service

Developing organizational systems that improve customer satisfaction and developing methods to improve and monitor the quality of services provided to the public are mutually supporting activities. This section considers these activities in general terms while the majority of the remaining sections of this report discuss improvements that should be made to specific administrative and job activities.

The Department of City Planning and the Housing Conservation Section of OCD (two of the three organizations primarily involved with this study) have only recently begun to consider methods to improve customer satisfaction with their services. The Development Services Department has been incrementally improving various aspects of its services to customers since 1987. It streamlined its appeals practices, re-organized its counter operations, and has been working with the community to identify other areas requiring improvement.

All three organizations have done little to address the internal control issues of quality assurance. Fundamental to addressing both of these issues is the ability to track the services provided to the public. For example:

- In addition to knowing the number of development and other applications filed, Planning should know the number and reasons for returning the applications to its clients for additional information, and should have detailed information on the reasons it has rejected development requests.
- Development Services should know the reasons that its inspectors have rejected construction and have required work to be re-done to code.

- Housing Conservation should know the number of dwellings brought into compliance with City codes to the satisfaction of the dwellings' residents and the surrounding neighborhoods.

Displaying desire to gather and analyze such information concerning the attainment of the organizations' objectives is a primary sign that these organizations have risen above the need to focus on expediting procedures—simply performing the tasks required quicker—and have decided to insist on seeking improved methods for satisfying their customers with quality performance. However, these organizations have indicated no such desire.

This notwithstanding, these organizations have a particularly difficult job in creating customer satisfaction since the nature of the work is to control, restrict, evaluate, and force compliance from their "customers." The City's customers frequently must contact City agencies to perform tasks which they regard as onerous, such as filling out detailed forms, and being subjected to intensive questioning to obtain permits and licenses.

Citizens who contact officials for such purposes may be apprehensive and may fear the "red tape" involved. Because they are not familiar with the procedures they may also fear that they may not qualify for a particular license or permit, or they may fear a fine or fee that they feel is unjustified or too high. In other words, they may feel acutely that City officials, through their authority to impose such restrictions and penalties, may greatly restrict their personal activities, interfere with their plans or schedules, and perhaps create financial hardship.

Nevertheless, if citizen clients feel that they are being given considerate and fair treatment by City employees, they will be satisfied with the "services" received from the City. This can hold true even when the clients are disappointed in their specific requests. To establish good relations with the public, City employees must not only be effective in performing their duties; they must carry out these duties in a manner that earns citizen approval and confidence. The citizen must not only be served well but must *feel* that he or she is receiving the quality service for which they are paying fees and/or taxes.

Members of the community who were contacted as part of this study do not believe they are receiving quality service. Many individuals characterized the service they receive as poor and were particularly upset that—usually Fire and Planning employees—did not provide any information beyond that which was specifically requested and appeared to be "put-out" if pressed for assistance. We acknowledge that we contacted only a relatively small number of people for this report and many individuals responded because they wanted to express their frustration. However, we found that there is a regularity to the nature of the complaints and that there is a general sense in the community that the quality of services needs to and can improve significantly.

Increasing customer service is not easy. However, while creating customer satisfaction may be work, responding to customer dissatisfaction is even more



work. Staff in each department included in this study expended significant time responding to public inquiries. Taking action in the following four areas will provide the means to redirect the organizations' efforts and eventually will increase organizational efficiency and effectiveness at reduced cost: (1) train for customer service, (2) improve information systems internally and externally, (3) create a centralized City complaint tracking and information system, and (4) create a quality assurance section.

### Train for Customer Service

If customer service is to be an inherent part of the job, managers and employees must be trained to understand what customer service is and how it is to be brought about. *Section 4: Training* of this report discusses the need and the methods for developing a comprehensive training program for creating customer satisfaction and, as a prerequisite, effective supervisory practices. Generally, customer service training would include the following:

- **Providing Quality Customer Service**—managers and employees examine their existing programs and procedures to explore ideas for insuring customer satisfaction, and to gain an organization-wide commitment to quality customer service.
- **Public Contact Skill building**—managers and employees identify public contact skills and focus on the roles and responsibilities of those who supervise customer service employees.
- **Managing Customer Service Operations and Personnel**—key issues involved in managing customer service systems and personnel.

### Improve Information Systems Internally and Externally

#### **Computer Systems**

As a result of the customer service training, the department's managers will have a need to know more about what their organization is supposed to be doing and what it actually is doing. Managers will ask: what are our procedures?, how are they perceived?, what is it that we are doing to our clients?, what information can I give to our clients in order that they will be better served? *Section 5: Data Systems* of this report discusses the technical requirements for developing the information required to answer many of these questions. This information will be central to the operation of the new Quality Assurance Section recommended in Section 1, and discussed further below.

#### **Brochures and Guides**

Also, as a result of the customer service training, the department's managers will seek improved methods for disseminating information to their customers concerning the various methods that the department has for servicing their building development and conservation needs. Most essential is the need to develop a set of brochures introducing the department's services overall and how

each is coordinated with the other, and more specific brochures detailing information that the customer must have to facilitate the processing of their applications. While each studied department has some information available for distribution to the public, this information tends to be limited technical explanations attached to application forms.

The departments do not provide general descriptive information on department policies and procedures that explain application processing steps in simple terminology and answers questions that applicants might have. Because of this, applicants must bother staff to answer simple questions. The departments do not provide the public an opportunity to educate itself on the development, building and code enforcement processes in the City.

The Director of the Planning Department reports that he does not have sufficient staff to take the time to put together public information brochures. The Development Services Department is attempting to deal with this lack of public information through the development of a policies and procedures manual that would provide detailed information on the building application process. This manual would be available to the public and different sections would be assembled in packets for different application processes. This manual is an important first step and we commend the Department for its efforts.

The Department still has the need, however, to develop simple materials which provide general information to applicants. As part of this study, jurisdictions included in the survey were asked to provide copies of public information materials. Particularly impressive, were the brochures provided by the City of Long Beach's Department of Planning and Building. These ten brochures cover the following topics:

- **How to Use The Development Services Center, Working Together To Serve** is a nine page brochure that is designed to assist the customer in using the Development Services Center. The customer is given the address, telephone numbers and the hours of operation for the center along with a diagram and general description of the functions at each counter. There is an information counter and counters for planning, utilities, public works, fire, health, building, records, and a cashier.
- **Construction Permits** answers these questions: What are construction permits? When is a permit needed? How does one apply? Who can obtain a construction permit? Plan check? On-site inspections? How much does it cost? How long is it valid?
- **Certificates of Compliance, Lot Line Adjustments and Lot Mergers** answers the following questions: Why are certificates of compliance, lot line adjustments and lot mergers needed? What is a certificate of compliance and how does one apply? What is a lot line adjustment and how does one apply? What is a lot merger? How are new boundaries recorded? How much does it cost?



- **Zoning** answers the following questions: What is the purpose of zoning? How can property be used? How to establish a permitted use? How to establish a conditional use? What if a use is prohibited? What if property boundaries need adjusting? When is a subdivision required? What are development standards? What is a standards variance? Is environmental review needed? What is the technical advisory committee? When is a hearing required? What is an administrative hearing? What is a planning commission hearing? What is a city council hearing? What is co-processing? What fees can be expected? Tell us, how can we better serve you?
- **Conditional Use Permit** answers the questions: What is a conditional use permit? How does one apply? What are the chances that an application will be approved? How is the application processed? What if an application is denied? How much does it cost? (Shown in Appendix 6.2.)
- **Standards Variance** answers the questions: What is a standards variance? How does one apply? What are the chances of having an application approved? What are the steps to getting approval? What if the variance is denied? How much does it cost?
- **Coastal Permit** answers the questions: What is a coastal permit? Why is a coastal permit required? When is a coastal permit required? How does one apply? How are coastal permits processed? What if the application is denied? How much does it cost? Are demolitions regulated?
- **Inspection** answers the questions: What is an inspection? When is an inspection needed? How can an inspection be arranged? How much does it cost? Special inspections, how much does a special inspection cost?
- **What are Plans?** answers these questions: What are plans? What is a plot plan? What is a site plan? What is a floor plan? What is an elevation? What is a landscape plan? What is a house numbering map? Is there a standard format for plans? How many copies of plans are required? This brochure contains a fold-out section containing six examples of plan types.
- **Subdivision** answers these questions: What is a subdivision? What is the subdivision process? Filing the tentative tract map? Environmental review? Public hearing before planning commission? Plancheck—public improvements? Plan check—site and building? Final map preparation and certification? Recording the final tract map? What is a parcel map? Do subdivision regulations apply to condominiums or condominium conversions? How much does it cost?

Section 1 of this report recommends that the Development Services Department, the Development Controls Division and the Housing Conservation Section be integrated. This new office would have an Administrative Services Division which would be responsible for quality control functions including the production of public information. We recommend that within six months of the

integration of these organizations and the establishment of the new office, the Assistant Director present draft copies of public information materials to the City Council for review.

If the proposed reorganization is not implemented, we recommend that six months after the date of the acceptance of this report each department or section manager present draft copies of public information materials to the City Council for review. These materials should include at a minimum:

- Broad general brochures similar to those produced by the City of Long Beach that clearly and concisely describe the basic services offered by each department;
- A general brochure that includes information on the entire building and development process, including recommendations contained in this report, that is not limited to the responsibilities of one specific department.
- A handbook for builders similar to that produced by the City of Long Beach which provides general construction information, technical information and structural requirements.

In order to develop these materials, the Planning Department should gain the assistance of the City's Public Information Office, and/or OPW's and OCD's public information staffs. Since OPW has public information staff with the most applicable experience, if the three organizations are not consolidated, OPW should take the lead in coordinating the overall public information activities of the three organizations.

The proposed report to the City Council should contain cost estimates of producing all materials, what fees, if any would be charged to recover publication costs, and the method for distributing information. We estimate that the production of these informational materials would cost approximately \$15,000.

### **Additional Methods to Inform the Public**

As noted above and in other sections of this report, we have found that the lack of information available to the public has a significant impact on the operations of each of the three studied organizations. The departments do not adequately inform the public of the requirements of Oakland's development process. While providing written public information materials will help to solve this problem, the departments should also consider additional methods to increase public knowledge. These methods would include:

- Producing **regular code updates** to inform the public of changes in relevant codes. The Development Services Department is pursuing this and the other departments should adopt a similar format to insure a conformity in the way information is presented;
- Use of **public bulletin boards** to provide information regarding procedural changes, present new information, provide phone numbers, etc. The



Development Services Department is proposing to use public bulletin boards as a goal for the upcoming year. The other departments should work with Development Services to prepare combined information posters for public areas;

- Production of **videotapes** that could be played in reception areas and be made available at the City Library. These videotapes could provide a general overview of application procedures and requirements;
- Providing reference materials (such as the Zoning Regulations, uniform construction codes, and City ordinances) which could be reviewed at a central **library** or purchased at City cost at a **counter book store**. The Development Services Department is exploring implementing these services at the public counter. However, the resources should be expanded to include materials relevant to all construction and code enforcement related services in the City, including those provided by the Development Controls and Neighborhood Preservation.
- Providing reference materials through **computer links**. The Development Services Department hopes to be able to provide its policy and procedures manual on-line and opportunities to expand the information available in this manner should be pursued; and,
- Development of some application forms and information materials in various **languages** in addition to English. Department staff estimate that a significant portion of the public does not have English as their first language. The publication of some information in other languages would be a significant public service.

As part of the report to the City Council detailing the public information materials that will be required within six months of the acceptance of this report or the organizational consolidation recommended in Section 1, staff should specify which of the above options will be used, the cost and funding source.

### **Telephone Systems**

The departments are working with the Office of Corporate Information Services (OCIS) to install new computerized telephone equipment accessories that will provide automated information. An automated telephone system will have the potential to greatly reduce the number of phone calls that need to be answered by staff at all levels of each organization, especially the Development Services Department and Development Controls Division.

As part of this survey, a phone log was kept at the Development Services permit counter and calls were coded by various categories such as general information, status of permit, etc. Our analysis shows that almost 50 percent of all calls requested general information (such as office address and hours of operation) and basic information on how to apply for a permit (what information is required, what forms are required). A similar phone log was kept for the zoning counter which also showed that a significant number of calls were for

basic information (although many people call to inquire about different zoning designations, information that would be hard to automate). For both of these departments, a number of these calls requesting general address information during the study are likely to have been required by the dislocation of these departments as a result of the Smith building fire. Nevertheless, the number of calls and the nature of the inquiries indicates that an automated phone system has significant potential to provide information to the public quickly and accurately while reducing the staff time taken to respond to calls.

OCIS has nearly completed its specific technical requirements for inclusion in a request for proposal. Although City staff were not able to provide us with the specific functional plans for the new telephone system, we anticipate that it will significantly improve citizen access to the City's development and construction requirements. We anticipate that interested citizens would be able to use their telephone to key-in specific codes to receive information similar to that contained in the Long Beach brochures. In addition, the customer should be able to schedule inspections, check on the status of their application or complaint, check on the permit history of their parcel, etc.

Beyond normal voice mail capabilities, the anticipated system's voice messaging system may include audiotex bulletin boards or information services and the ability to provide management reports concerning telephone activity. Nevertheless, these automated systems will not replace the need for written brochures disseminated to the public providing clear documented description and instruction of the City's neighborhood preservation and development procedures.

OCIS estimates that the cost of the stand-alone voice messaging system for the Development Services and Planning functions to be between \$50,000 and \$95,000. OCIS is advising the City that many other City departments have similar communication needs and are interested in these voice messaging applications. According to OCIS, "Cultural Arts, Museum, Police, and Library all have valid applications which need to be addressed. ...it could be in the City's best interest to acquire a larger voice messaging system or several smaller systems, which may be networked together, to address this issue on a City-wide basis. It is estimated that a City-wide system would cost about \$450,000. Much of this cost would be offset by the current expenditures for the very limited voice mail service leased from Pacific Bell."

### Create a Centralized City Service Request, Complaint Tracking and Information System

The City has a centralized information resource in its Oakland CityLine information service operated by the Library. CityLine directs the public to call the appropriate department to lodge complaints. Since individual City departments receive and respond to complaints only concerning their own operations, the City has no centralized system to collect and track information concerning citizen complaints and provides no central number for a citizen to call to lodge complaints.



Various cities throughout the United States and Canada have centralized their complaint and information services into one common city phone information, complaint, suggestions center. Such cities include Kansas City, Mo; Dallas, Tex; Yonkers, NY; East Providence, RI; and Montclair, NJ in the United States. Canadian cities providing this service include Regina, Calgary and Edmonton.

These centers have become known as *City Action Centers* or, in some areas, *Action Line*. They are designed to satisfy the following public needs:

- An **information resource** for citizens who are not familiar with City regulations, services or organization.
- A central point of contact for citizens to **request City services** or to provide important **recommendations** or other input to the City's management.
- An easily accessible, sincerely interested and unbiased point of contact for citizens who feel that the City is not meeting their needs—to **lodge a complaint**.

Additionally, these Action Line Centers provide mayors, city councils, city managers, and department heads with accurate and timely information regarding potential problem areas and citizen concerns. Such information provides a basis for correcting operational deficiencies, planning and improving the delivery of city services, identifying requirements for additional personnel, and identifying the need for revising existing ordinances or for creating new ones. As a central point for service requests, an Action Line Center would be able to better expedite service and track response. In performing these functions, the proposed Action Line Center for the City of Oakland would serve its citizens in a courteous manner and could increase confidence in City government.

An Action Line Center would not be either an adversary of City departments or a stubborn citizen advocate. It would not be responsible for cutting red tape. Rather, the Action Line Center would work through established City organizational channels, notifying departments that certain City's service delivery systems are or are not working in the way they are intended to work.

Currently, department managers report that their work is continually interrupted by citizens' calls of complaint and duplicate complaints coming from several sources. Under the Action Line Center system, citizens would learn to call one number for all of their complaints. With complaints centralized in an Action Line Center, duplicate complaints could be eliminated and management and line staff's work interruptions by complaint calls could be reduced.

A copy of Dallas' Action Center information handout is on the next page.

## WHAT IS ACTION CENTER?

The City of Dallas Action Center is a centralized response center that provides citizens with a direct link to City Hall. Citizens may call one number—744-3600—to report violations of city ordinances and get information about city services.

## ¿QUE ES EL CENTRO DE SERVICIOS?

El Centro de Servicios es una oficina centralizada que provee a los ciudadanos información sobre los servicios que la ciudad ofrece. Un ciudadano puede llamar al número de teléfono 744-3600 y reportar violaciones de los reglamentos de la ciudad o pedir información acerca de los servicios.

## HOW ACTION CENTER WORKS

Call 744-3600 and give the address or location you wish to report. Describe the situation to the information aide. A computerized system quickly routes your request to the proper department for investigation.

## ¿COMO TRABAJA EL CENTRO DE SERVICIOS?

Cuando usted llama al número de teléfono 744-3600, de la dirección o lugar que usted desea reportar y describe la situación a la persona que le ayuda, ella a través de una computadora, dirige su petición al departamento apropiado para que lleve a cabo la investigación.

## HOW CAN ACTION CENTER HELP YOU?

You need only make one phone call—744-3600—to receive assistance in a variety of areas such as the following:

- Consumer protection
- Disaster recovery
- Environmental health
- Fire protection and prevention
- Garbage collection
- General information
- Housing discrimination
- Junked car removal
- Mosquito control
- Parks and recreation
- Pollution control
- Rat control
- Stray dogs, rabies investigation
- Street and alley paving
- Street cleaning and repair
- Street lighting
- Street signs and signals
- Substandard buildings
- Tax (City)
- Tree limb, brush pick-up
- Tree trimming on parkways
- Utility regulation
- Water utilities
- Weed and litter
- Zoning violations

Information aides are available to answer questions and refer you to an outside organization if the City is unable to help you. If you need to call a specific department, but aren't sure which one, Action Center can point you in the right direction.

## ¿COMO PUEDE EL CENTRO DE SERVICIOS AYUDARLE?

Usted solo necesita llamar por teléfono al número—744-3600—para recibir asistencia en las siguientes áreas:

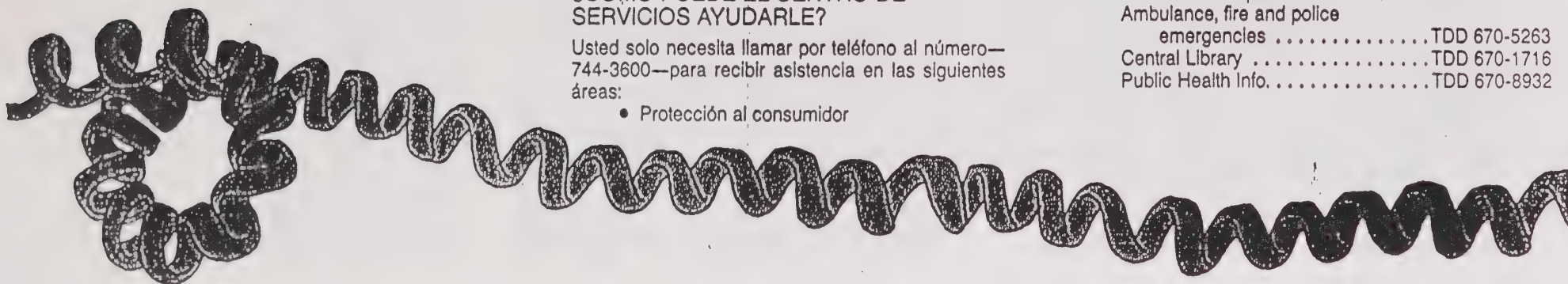
- Protección al consumidor

- Ayuda en caso de desastres
- Salud del medio ambiente
- Prevención y protección de incendios
- Colecta de la basura
- Información general
- Discriminación de viviendas
- Traslado de automoviles inservibles
- Control de mosquitos
- Parques y recreaciones
- Control de contaminación
- Control de ratas
- Perros perdidos o rabiosos
- Pavimento de calles y callejones
- Limpieza y reparación de calles
- Iluminación de calles
- Carteles y Señales en las calles
- Edificios en mal estado
- Impuestos de la ciudad
- Colecta de ramas de árboles o matorrales
- Arreglo de árboles en las carreteras
- Regulación del servicio público
- Servicio público de agua
- Hierba y basura
- Violación de zonas

Personas especializadas están a sus órdenes para responder a cualquier pregunta u orientarlo a otra organización fuera de la municipalidad. Si usted necesita llamar a un departamento en especial pero no sabe el nombre correcto, el Centro de Acción le ayudará a encontrarlo.

## ADDITIONAL SERVICES FOR THE HEARING IMPAIRED TDD

Action Center .....	TDD 670-4192
Civil Service (employment) .....	TDD 670-5909
Dallas Area Rapid Transit .....	TDD 979-0277
Ambulance, fire and police emergencies .....	TDD 670-5263
Central Library .....	TDD 670-1716
Public Health Info. ....	TDD 670-8932





Action Center staff in Canada, Kansas City and Dallas report that the majority of complaints involve their building code and planning enforcement operations. Oakland's CityLine staff have similar experience since most inquiries involve planning and building code issues. The majority of these citizen questions could be answered by an Action Line Center staff. These complaints handled by Action Line Center staff could be forwarded to and could be handled by the Quality Assurance Section of the new office rather than by more highly paid administrators. (We discuss the function of the Quality Assurance Section below.)

The Action Line Center could have a computer support system that would track all of the telephone calls taken at the Center. The Center's computerized data system could provide management reports that would be valuable in several ways. The computer system could provide weekly and monthly management reports that describe the number, nature, and geographical breakdown of all citizen requests and complaints.

These reports could also keep track of each department's response time for requests and complaints forwarded by the Action Line Center, and tabulate citizen evaluations of quality and speed of service. The data could indicate short-term trends or identify potential problems. The statistics could also be used for an analysis of departmental service delivery for resource allocation and budgeting, workload, staff scheduling, and departmental performance evaluation.

The Office of Corporate Information Services is currently evaluating software products costing approximately \$70,000 to serve the City Clerk's document tracking requirements that could serve Action Line Center functions. Smaller systems used by other cities reportedly cost approximately \$2,000. We have not evaluated these systems.

Eventually, the OCIS may be able to integrate the telephone system and the Action Line Center data system to automate the collection of data and the forwarding of complaint information along the City's electronic network to the appropriate department. The system could work without the use of cumbersome forms and tally sheets.

The Library has prepared a preliminary plan for administering an Action Line Center operation as an expansion of its CityLine information service. (See Appendix 2.1.) It projects that the operation of an Action Line Center would cost approximately \$400,000 per year with a staff of 8.5 full-time paid employees.

### Create a Quality Assurance Section

Section 1 recommends the creation of a new office combining Housing Conservation, Building Control, Building Services and other associated functions. Within the Administrative Services Division of this proposed new office would be a recommended Quality Assurance Section. This Section would serve to integrate the Office's service delivery activities with its customers' needs and wants as evidenced through complaints received (through the Action Line Center), direct feedback, and direction from the the City Council and commissions. If the

reorganization is delayed, the individual departments should assign the quality assurance functions described below to such staff as appropriate. Additional staff would be required for each organization until the reorganization is completed.

The Quality Assurance Section would work with the departments' line managers to develop performance standards and procedures manuals and they would develop the training program required for staff to have the skills and knowledge to comply with the performance standards and procedures developed. They would have authority for taking employees away from their work for training.

The Quality Assurance Section, working with the City's Office of Corporate Informations Services, would institute required automated data gathering methods. (Section 5 discusses data gathering methods.) The Quality Assurance Section would compile department activity data, customer response data, and citizen complaint data to continually analyze and monitor the Office's performance and discover areas in which there may be potential for improvement. The Section would modify procedures, training, and the dissemination of information to the public as required. The Section would perform its functions under the recommended Assistant Director of the new Office and in close association with line supervisors and staff. The Quality Assurance Section would provide ongoing information feedback necessary for the office to change dynamically in response to customer needs and newly discovered opportunities for increasing efficiency and effectiveness.

The Section would be the nexus for complaints in the Office. Currently, complaints or recommendations for improved operations may never reach the appropriate division or department if the information is given to another division. For example, a complaint made to a code enforcement inspector in Housing Conservation about a building inspection that required construction changes but was later determined to be unsafe is not likely to be forwarded to the Development Services Department's building inspection manager. There is no organizational mechanism in place to distribute and share information common to the three development services and building safety organizations. The proposed Quality Assurance Section would ameliorate this difficulty by continually receiving information from all the line staff concerning their operations and the operation of the other units in the new office.

As the center for operational data gathering, the Quality Assurance Section would also distribute information and analysis concerning line operations back to the units involved. For example, in analyzing the reasons for re-inspections required by the various building inspectors, the Quality Assurance Section may find that one inspector appears to be especially critical of the installation of fireplaces. Upon investigation, the Section may find that the one inspector is holding builders to the correct standard for fireplace installation and the other inspectors are not. The Quality Assurance Section, would notify the managers and employees involved, amend the procedures manuals, and revise the training program to insure that the correct standards are used by all of the building inspectors. The Section would also disseminate information to the public and to the developers and contractors of the change in procedures.



This proposed Quality Assurance Section could further enhance customer service by actively working to discover the office's customers' reasons for being dissatisfied with the office's activities. The Section should develop a follow-up survey postcard questionnaire. It could send out postcards to a random sample of the office's customers. The customers would return the postcards with information regarding how they perceived the quality of services provided. With such information quantified and analyzed, the office managers would learn what issues need to be addressed and which alternatives could be considered to improve the quality of their services.

The proposed Quality Assurance Section would be staffed by the following positions:

- 1 Management Assistant
- 1 Computer Data-Base Manager
- 2 Administrative Analysts
- 1 Clerical Supervisor
- 2 Senior Clerks
- 5 Intermediate Typist Clerks
- 2 Senior Typist Clerks

Of these fourteen positions, eleven would come from the positions assigned to the current three departments. The three new additional positions would be the Management Assistant and the two Senior Typist Clerks. The estimated cost of these new additional positions is \$105,000.

## Conclusion

The Departments of City Planning and Development Services and the Housing Conservation Section of OCD can improve their quality of customer service. Taking action in the following four areas will provide the means to redirect the organizations' customer service efforts and eventually will increase organizational efficiency and effectiveness at reduced cost: (1) train for customer service, (2) improve information systems internally and externally, (3) create a quality assurance section, and (4) create a centralized City complaint tracking and information system.

[Note that recommendations concerning the creation of the new Quality Assurance Section, customer service training programs and data systems issues are contained within Sections 1, 4 and 5 of this report in which the specific issues are discussed in greater detail.]

## Recommendations With New Costs

The City Council should:

- 2.1 Appropriate the funds required for the expansion of the City Library's CityLine information service center into an Action Line Center as a central point for citizens to request service and to direct complaints about City services.

The City Manager should:

- 2.2 Direct the new Office's Assistant Director to develop public information materials in order that within six months of establishing the new office the proposed public information materials are presented to the City Council for review.

If the proposed reorganization is not implemented, we recommend that six months after the date of the acceptance of this report each department or section manager present draft copies of public information materials to the City Council for review.

- 2.3 Direct that the new office or, if the reorganization is delayed, the individual departments, produce videotapes, providing a visual presentation of the office's requirements and procedures, that could be played in reception areas and be made available at the City Library.

## Recommendations With No New Costs

The City Manager should:

- 2.4 Direct that the new office or, if the reorganization is delayed, the individual departments, regularly produce updates to the building and zoning code materials in order keep the public informed of changes in the relevant codes. Such updates should be made available to persons on a subscription basis and at the public service counter.
- 2.5 Direct that the new office or, if the reorganization is delayed, the individual departments, provide reference materials on City codes and development procedures to the public through computer links, and in a centralized reference library and book store located at the public service counter.
- 2.6 Direct that the new office or, if the reorganization is delayed, the individual departments, develop application forms and information materials in other languages, in addition to English.
- 2.7 Direct that the new office or, if the reorganization is delayed, the individual departments, install and operate the new computerized telephone automated inquiry systems without delay.



## Costs and Benefits

The establishment of an Oakland Action Line Center is estimated by the Library to cost approximately \$400,000 per year of operation. An Action Line Center would provide the Mayor, City Council, City Manager, and department heads with accurate and timely information regarding potential problem areas and citizen concerns. Such information would provide a basis for correcting operational deficiencies, planning and improving the delivery of city services, identifying requirements for additional personnel, and identifying the need for revising existing ordinances or for creating new ones. In performing these functions, the proposed Action Line Center for the City of Oakland would serve as a convenient central point for its citizens to receive information, complain, and offer advice while being served in a courteous manner.

We estimate that the production of brochures and other public information materials would cost approximately \$15,000. The availability of information concerning the operation and the rules regarding the City's building preservation, services and control functions will provide the public with the information required to meet the City's code requirements with less aggravation and improve the overall efficiency of these City services.

The three new additional positions for the proposed Quality Assurance Section would cost an estimated \$105,000 annually.

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### SECTION 3: MANAGEMENT AND SUPERVISION

ALTHOUGH SPECIFIC EXCEPTIONS EXIST, DEVELOPMENT SERVICES DEPARTMENT, DEVELOPMENT CONTROLS DIVISION, AND HOUSING CONSERVATION SECTION MANAGERS HAVE NOT DEVELOPED POLICIES AND PROCEDURES MANUALS FOR STAFF OR PERFORMANCE STANDARDS THAT MEASURE INDIVIDUAL STAFF PERFORMANCE, SUPERVISION COULD BE IMPROVED, AND REGULAR PERFORMANCE REVIEWS DO NOT OCCUR. BY IMPLEMENTING IMPROVEMENTS IN THESE AREAS, EACH DEPARTMENT WILL BE BETTER ABLE TO MEET DEPARTMENT GOALS AND OBJECTIVES AND OFFER IMPROVED CUSTOMER SERVICE.

#### Introduction

Through the interviews, analyses and observations conducted for this study, a number of issues have been raised concerning management, supervision and the evaluation of employee performance. To a certain degree, all of these issues need to be addressed for each of the three primary departments evaluated for this study: Development Services Department of the Office of Public Works, Development Controls Division of the Planning Department, and the Housing Conservation Section of the Office of Community Development.

Since many management and supervision issues overlap and certain similar themes run through each of these organizations, we decided that it would be most appropriate to present our findings, recommendations, and conclusions regarding management and supervision in a unified format. In each descriptive area of this section, individual departments are referenced to provide case examples of the points under discussion. In the interest of space, all possible examples are not discussed for each department. However, the recommendations at the end of this section are comprehensive and list all the changes which should occur in each department.

#### Department Goals and Objectives

The City of Oakland uses a Performance Management System, which if effectively used, provides the benefits of greater accountability and control over employee output and results at all levels of program delivery; an improved management climate with an emphasis on accomplishment of objectives, results, and the impacts and effects of programs; and, improved understanding by and credibility with the community on the quality of City services.

The City of Oakland's Performance Management System was implemented to:

- 1) Provide clear communication of organizational goals and priorities,
- 2) Increase individual and department responsibility to meet organizational goals, and
- 3) Improve productivity by communicating expectations and desired results in every work area performed by City employees.<sup>1</sup>

The Performance Management System is implemented through the annual policy budget. The policy budget is the organization's annual resource allocation plan and funding level approved for each function and department activity. As part of the policy budget, each department or division sets goals which reflect the mission and purpose of the organization, establishes objectives to be achieved in the upcoming year and sets performance measures to evaluate the organization's ability to meet stated objectives.

As stated in the City Manager's Administrative Instruction implementing the Performance Management System, key elements of the system include communication of clear expectations regarding work effort and results for all employees, and a performance appraisal system for all employees. In order to set such a system in place, department management must provide employees with:

- A comprehensive, clear and usable policies and procedures manual to provide guidance on department operations and facilitate a uniform decision making process;
- Clear and challenging department and individual performance standards which provide a basis for measuring and evaluating individual work effort;
- Adequate supervision to assist employees with achieving performance standards and insuring the quality of employee work; and,
- Regular appraisals of staff to evaluate performance.

Each of these components is interdependent of the others and cannot stand separately. Without meaningful performance standards to evaluate employees, reviews tend to be vague and unhelpful to the employee. Supervision is required to insure that employees are correctly implementing policies and procedures. These components are the building blocks which assure that the Performance Management System works effectively at the department level.

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<sup>1</sup> City Manager Administrative Instruction, "Performance Management System Policy", August 12, 1988



Our review of the Development Services Department, Development Controls Division, and the Housing Conservation Section indicates that to varying degrees these organizations have not effectively implemented these listed components for the Performance Management System.

### **Policies and Procedure Manual**

A clear and comprehensive policies and procedures manual is a necessity for efficient department operations. Such a manual is an important step to insure that the actions of staff are consistent with the policies, goals, and objectives of the Department and the City. Staff require a policies and procedures manual to assist them in the daily performance of their duties and responsibilities, and as a reference source for department policies and operations.

During this study, builders who frequently use the construction permit processing services of these departments complained about the lack of a comprehensive policies and procedures manual for use by City staff and by the public. This frustration was made most evident when in 1990 the Oakland Development Council (ODC) independently produced an organized manual of frequently used permit processing forms and department memoranda for use by its members. The development and production of public information resources by the departments are discussed more extensively in Section 2. However, had comprehensive policies and procedures manuals previously existed in the departments, the need for such efforts by the users of the system surely would have been negated.

### **Development Services Department**

In the 1987 HMR report which evaluated operations in the Inspectional Services Department of the Office of Public Works (reorganized in 1989 to the current Development Services Department) the lack of a policy and procedures manual was noted and it was recommended that the Department produce such a manual. The Department is currently producing a policies and procedure manual that is designed to be used by both staff and the public. The draft manual sections which have been completed are comprehensive, provide detailed operating information for staff, and clearly explain policies and procedures. The section concerning permit processing procedures is scheduled to be completed during this summer and the entire manual is scheduled to be completed by June 1992. The Department should be complimented for its efforts and encouraged to complete the manual in the stated time frame.

## **Planning Department**

The Planning Department, including the Development Controls Division, currently has no comprehensive policies and procedures manual. This leads to a number of specific problems. For example, junior planner staff have responsibility to work at the zoning counter, providing information to the public, and accepting zoning applications. Junior planner staff have no specific reference document to assist them in performing these duties, resulting in staff reported inefficiencies and frustration. Although the Department has individual documents which provide some limited information, there is no comprehensive source that details processing steps for individual application types. It is stated in the Department's objectives for next year that such a manual be developed for counter operations. This effort should be expanded to include policies and procedures for all Department operations.

It was stated repeatedly by interviewed Planning Department staff that the lack of a policy manual leads to conflicting interpretations of the Zoning Regulations by different staff at different levels of authority. This was echoed by interviews with developers and other members of the community who cited conflicting interpretations of the Zoning Regulations as a continual irritant. One developer even suggested that "if you know the individuals in the Department, you can contact the staff member who will provide the interpretation that you are seeking". A detailed manual should state interpretations of the Zoning Regulations and update those interpretations as Department policy changes. With implementation of the recommendations contained in Section 1, the development of policy manual interpretations should be coordinated with the Office of Planning to insure current planning consistency with the City's advanced planning policy development.

## **Housing Conservation Section**

The Housing Conservation Section also currently has no formal policy and procedures manual. In interviews with a number of housing inspectors this was cited as a major frustration because staff have no clear reference source for guidance in performing their duties. It was stated by the housing inspectors that in the absence of such a manual, each supervisor has independently adopted procedures for how housing inspector work should be accomplished. This independent procedure development can lead to different, and sometimes conflicting enforcement actions within the City, depending upon the assignment of inspector supervisors.

## **Summary**

Both the Planning Department and the Housing Conservation Section should develop policies and procedures manuals that are:

- Comprehensive, covering all significant operations and procedures of the Department;



- Consistent in detailing specific policies and procedures to be used by Department personnel;
- Complete with examples of forms and documents used by the Department, and instructions showing how the forms are to be completed;
- Linked to and used in orientation and training courses to familiarize all staff with their content; and
- Reviewed and updated on a periodic basis.

Both organizations should complete these manuals and present them to the City Manager for review by June 1992.

### Performance Standards

Performance standards are those standards which are developed by department management which state a policy level of expected service. Performance measures are the mechanisms used to measure the performance of departments against these standards. Performance standards are generally quantifiable, but often reflect qualitative aspects of service. They should always be linked with the goals and objectives of the organization. For example, a goal of providing prompt and courteous service to the public might have a performance standard of 'receiving no citizen complaints regarding staff courtesy'. Whether the department is achieving this standard could be tracked through a formalized complaint process and measured by quantifying the number of public complaints received in which staff courtesy has been questioned. This performance standard and measurement system would not entirely reveal whether staff is courteous to the public (other methods of identifying potential problems may be through supervisor observation of staff interaction with the public). However, it could be used as an indicator of potential public service problems which should be more closely examined by management.

For the departments reviewed as part of this study, most of the performance standards establish quantitative service levels which reflect qualitative aspects of service. For example, one Development Controls Division performance standard is to process 90 percent of completed major permit applications within 45 days and 100 percent within 60 days. The Development Services Department has as one of its objectives and performance measures, to provide a 15 to 20 work day 'turnaround time' for plan check, plot plan review, and parking requirement review.

However, in order to effectively measure staff performance against these standards, staff activity should be accurately recorded and monitored. Individual performance measurements reports can then be used by supervisors to help evaluate the performance of individual employees; and compiled performance measurement report information can be used to measure organizational performance against established standards.

The work performed in the analyzed departments can be characterized as: 1) field activities, which require a certain degree of staff independence; and, 2) processing and caseload activities, where staff effort can fluctuate by volume and complexity. These two different activity categories require department managers to design standards of performance that are sensitive to the needs of the organization, but can be easily tracked and quantified.

### **Performance Standards Should be Challenging, Relevant and Accurately Measured**

#### Development Controls

Departments should insure that organizational performance standards are both challenging and relevant and that individual work performance can be accurately measured to determine if departmental standards are being met. As discussed in Section 6 of this report, the Planning Department has the objective of processing all of its zoning permit applications within 60 days, which is the maximum processing time allowed under the Zoning Regulations. This performance standard has not changed from FY 1988-89 to the upcoming fiscal year, FY 1991-92, and the Department has stated that Department performance has achieved this standard for the previous two years. However, an analysis of Planning Department case files for 1990 indicates that the Department's performance is not meeting this standard. The Department should review its performance standards on an annual basis and set challenging goals for increased staff performance. The standard should not simply be the maximum processing time allowed under the Zoning Regulations but should be determined so that staff is challenged to achieve shorter processing time frames. Additionally, the Department needs to develop procedures to accurately measure staff performance since there is currently a discrepancy between stated and actual performance. The proposed implementation of the PTS or other management information systems within the Planning Department will make this task easier.

#### Development Services

Plan check engineer processing time is recorded on the PTS system and included in a number of management information reports. However, because individual plan check engineers have limited access to PTS terminals and can not personally record applicant hold times or other processing delays, this information is not considered accurate or useful by DS staff. Because of this, plan check engineer performance is estimated for purposes of evaluation against stated Department performance standards. These performance measure estimates are significantly higher than those being recorded by the PTS system and are not necessarily any more accurate. The Department needs to establish procedures that will allow for accurate measurement of staff performance to evaluate the Department's ability to achieve its performance standards. Without accurate measurement, performance standards are useless because it is not possible to track individual and unit accomplishment. Proposed modifications to the PTS would include computer terminals for the plan check engineers which



would improve the Department's ability to accurately measure performance and processing time.

### Housing Conservation

The Housing Conservation Section has implemented a number of result-oriented performance standards for housing inspectors that measure case processing time, workload and enforcement actions. Generally, housing inspectors have been able to meet performance standards for processing cases. Performance standards for housing inspector workload are that each housing inspector should generate and resolve eight RFS complaints within their district each month (96 per year) and open or advance three substandard cases each month (36 per year). An analysis of workload reports for 1990 reveal that these two performance standards are not being met. On average, housing inspectors are only producing 26 percent of the standard for self-generated cases and 22 percent of the standard for advancing substandard cases<sup>2</sup>. Of the 22 housing inspectors, none generated the full 96 cases and only three generated more than 80 percent of the performance standard. Four inspectors did not produce any self-generated cases. For the substandard cases, only one inspector opened or closed 75 percent of the standard while eight of the 22 housing inspectors generated 2 or less substandard cases.

During interviews, individual housing inspectors questioned the necessity for these performance standards and stated that these standards could easily be met but they only reported cases that were seriously deserving of abatement. This may be the case. It is Housing Conservation management's responsibility to insure that performance standards are in place and enforced based on a reasonable expectation of housing inspector work performance. If the current standards are determined to be reasonable, they should be enforced. If they need to be changed, then they should be more reflective of expected housing inspector work performance.

### **Performance Standards to Measure Individual Staff Performance**

#### Development Services Plan Check Unit

The Plan Check Unit within the Development Services Department has plan check processing time performance standards for the organization. These standards are not being consistently met and the Department has implemented a number of measures, including using outside firms and staff overtime to reduce processing times (more detailed discussion occurs in Section 7). However, the Department has no mechanism to evaluate and measure individual performance against Department standards and there is no evaluation of individual work performance. Plan check engineers keep a daily records of what plans are worked on but do not record the number of hours worked for a specific plan. Because of

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<sup>2</sup> However, the automated complaint tracking system only records opened or closed substandard cases and not those that have been advanced through intermediate enforcement steps.

this, no productivity evaluations of staff are made. This is clearly necessary as our analysis for the period January through April 1991 revealed that one staff person was accomplishing 80 percent of the work during overtime hours alone that was being accomplished by the rest of the staff working during regular hours.

The work performed by plan check engineers could easily be measured. Because over 3,000 plans are processed each year, broad time standards for each type of plan could be developed and individual staff productivity measured. This would provide the Department with a greater ability to measure plan check engineer staff ability to accomplish specific performance objectives, increase staff accountability and provide justification for any requested staff increases.

### Building, Housing and Zoning Inspectors

Both housing, building<sup>3</sup> and zoning inspectors primarily perform field duties that are essentially unsupervised. Performance standards which have been developed for these positions set goals for providing service within a specified time frame. For building inspectors, the standard is to schedule inspections within 24 hours. For housing inspectors, the standard is to investigate all complaints within three working days.

As part of our 1987 report, we recommended that the Inspectional Services Department develop meaningful records to determine and evaluate inspector productivity. Since that time, the automated Permit Tracking System (PTS) was implemented which has the capability to facilitate establishment of formal standards of performance and measure inspector ability to meet those standards. Each inspector is issued a daily assignment sheet which lists the number, type and location of each inspection call. The field inspectors record the type of inspection performed, start and end time, travel time as well as hours spent on non-inspection activities. These individual daily reports are summarized in a report which provides the primary record of each inspector's activity and productivity.

Despite the effort that has been expended to develop this system it is not being used effectively and has not been used to establish objective standards of performance or accurately measure performance. Individual staff do not complete the daily log reports in a uniform manner and reporting standards vary. Supervisors are unfamiliar with the various PTS report formats and the data elements these reports capture and, therefore, do not use the system to its potential. While the PTS system has the ability to accurately measure staff productivity and workload, it is currently not being used to this potential and the Department should undertake training for both supervisors and staff to insure its consistent use. The Department policies and procedure manual currently being developed should specifically state reporting requirements for inspectors.

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<sup>3</sup> For purposes of this analysis, Development Services building, electrical and plumbing/mechanical inspectors will be termed building inspectors for simplicity.



The Housing Conservation Section currently has no similar system to measure housing inspector productivity. Evaluation of workload is based on reports generated by the automated complaint tracking system which provides information on the timing of housing inspector action but not the quality. No individual performance standards have been put in place to evaluate housing inspector field activity such as the number of inspections occurring in a given day. This has led to questions concerning housing inspector workload which are more fully detailed in Section 10. Although housing inspector workload is different from that of building inspectors, the PTS system or a similar field accountability system should be developed to measure housing inspector field activity against field performance standards.

There is currently a small zoning enforcement unit of two staff in the Development Controls Division. This unit primarily insures that projects are meeting necessary conditions of project approval. Staff in this unit do generate weekly and monthly reports detailing field activity although no specified performance standards for the length of inspections and investigations have been developed.

### Counter Personnel

The limited performance standards that exist to evaluate work conducted by both Development Service and Development Controls personnel are based on serving the public within a specified time period. Additional standards, that would measure staff's ability to process actual applications (as opposed to simply measuring waiting time), could be developed because the work performed by staff in both these departments is characterized by activities that take discrete amounts of time and are repeated frequently by staff. This would make it easy to develop broad processing standards that could be used to measure staff productivity and to justify staffing levels.

### Staff Supervision

The implementation of performance standards cannot be accomplished without adequate supervision of employees. This is specifically noted in the goals of Oakland's Policy Management System which state that productivity would be improved by communicating expectations and desired results in every work area performed by City employees. Supervision is the key to management insuring that stated goals and objectives are reached by employees.

### **Opportunities to Improve Supervision**

Staff supervision in the studied departments is generally in need of improvement although in some areas supervision appears to be adequate. Supervision is generally good in those departments where supervisors regularly review staff work and are evaluating the quality of that work. For example, all major zoning permit cases that are being presented before the Planning Commission are reviewed by the Senior Planner in the Development Controls Section. This allows the Senior Planner to consistently review staff output and

recommend improvements in performance. Counter personnel in both Development Services and Development Controls tend to have their processed applications reviewed, which provides some measure of review and supervision, although this evaluation is hampered by the lack of performance standards to evaluate individual productivity.

### Development Services Plan Check Auditing

Based on interviews conducted with plan check staff and supervisors, no formal review of plan check engineer work occurs, staff workload is self-allocated and individual performance is not measured. It is recommended in Section 6 and in this section that performance standards be developed for plan check staff. Additionally, plan check engineer workload should be rechecked on a random basis by the unit supervisor to insure quality of work. Eight of 11 responding surveyed jurisdictions indicated that plans were rechecked for quality of work with Oakland being one of only three jurisdictions which did not perform this service. If a small random percentage of plans were rechecked, this would provide greater supervision of employees and increase the quality of services offered to the public.

### Housing Conservation Section

Housing Conservation Section managers and supervisors should implement a number of procedures to increase supervision of housing inspector work activities. Currently, supervision is accomplished through the use of the automated complaint tracking system, the level of public complaint and feedback on specific housing inspectors and monitoring of each housing inspector's substandard housing caseload. These supervision activities provide a limited picture of each housing inspector's workload and their field activity and result in minimal housing inspector accountability.

Methods that would increase supervision and not result in too great a burden upon individual supervisors would include:

- Unannounced supervisor ride-alongs with housing inspectors;
- Follow-up inspections of inspector field investigations;
- Review of developed case logs and verification of activity through phone calls; and,
- Audit of case files to evaluate inspector action, determine if case documentation is maintained and whether enforcement is occurring within appropriate time frames.

These supervision methods should be organized to occur on a quarterly basis for each housing inspector. Since each unit contains seven or eight housing inspectors, each month each supervisor would have to perform these supervision tasks for two housing inspectors, which should not consume a significant amount of time. Additionally, in order for these methods to be effective, changes in the current case management system would need to occur. These are described in greater detail below.



## Building Inspectors

Based on recommendations contained in the 1987 HMR report, the Development Services Department implemented a senior inspector classification in 1990 to assume lead direction of field inspector staff and to release the supervising inspectors for higher level strategic and supervisory functions. However, for a number of reasons increased supervision of building inspectors has not yet occurred. Builders and developers contacted for this study indicate that this lack of supervision has serious implications in the field with individual inspectors using arbitrary standards and requiring that work be changed that does not fit their individual criteria. Our survey results indicate that all 11 responding jurisdictions have implemented some form of a supervisory program that incorporates performance standards and appraisal.

As with the housing inspectors, we recommend that the Department immediately implement a quality-control field supervision program that would be monitored by the senior inspectors with input and review by the supervising inspectors. Similar to the recommendations for housing inspectors, this supervision program would include:

- An unannounced supervisor ride-along program;
- Random inspections by supervisors following a field inspector visit to evaluate performance;
- Accompanying field inspectors to provide assistance and direction;
- Review of inspector permit files to evaluate number of field inspections and quality of record-keeping.

This program should be structured to provide random monitoring of a small percentage of inspector activities to assure that senior inspectors have ample time to perform other required duties.

## **Efficient Use of Data and Case Management Systems**

Data and case management systems should be used to assist managers in the development of performance standards and the evaluation of employee performance. If used efficiently, such systems can increase manager and supervisor ability to direct and monitor employee work.

## Development Services Department

The Development Services Department currently uses a Permit Tracking System (PTS) to track permit applications, monitor inspector activity, and generate management information. As noted above, this system is not efficiently used by building inspectors or supervisors and the Department should undertake training for both supervisors and staff to insure its consistent use.

A similar situation exists in other Development Services divisions. Interviewed managers have stated that PTS data entry is frequently not accurate or completed in a timely manner. For example, staff is supposed to enter into PTS

the dates in which applications are placed on "hold" pending submission of additional information from the client. This data is not consistently being entered, with the result that department processing times are not accurate. A similar problem exists with project valuation data which is not being entered correctly and provides management with information that is inaccurate and without value. Department management should develop performance standards for PTS data entry and insure that these standards are met through random checking of entered data.

During interviews with Department staff complaints were raised (especially by permit technician staff) with the Department's current procedure for storing and retrieving archived plans. Plans will often be requested by the public and currently are stored in numbered and labeled boxes. Staff complains that the system is not accurate and that it is time consuming to retrieve the plans. The Department has recognized this problem and hired a consultant to evaluate and make recommendations on improving the system. We believe that the issue of adequate storage space and accurate filing and retrieval procedures should be addressed after the proposed reorganization and should consider the needs of all integrated departments. Additionally, the City will soon be presented with a report analyzing space needs for all City departments and any recommendations contained in this report related to departmental storage space should be considered.

#### Development Controls Division

The Development Controls Division currently has no automated permit tracking system but is scheduled to be integrated into the Development Services system in late 1991. Division managers should adopt quality control measures similar to those proposed for Development Services to insure that useful and accurate management information is generated.

Division staff stated during interviews a high level of frustration with current case management procedures. Staff stated that it is time consuming to locate and retrieve files. These procedures were not specifically evaluated for this study. However, it should be noted that one of the Department's goals for FY 1991-92 is to develop an effective and efficient filing and retrieval system for Development Controls case files. We agree with this goal and recommend its implementation. As noted above for the Development Services Department, this goal would be integrated with the needs of other departments included in the proposed reorganization and any recommendations contained in the City's space allocation report.

#### Housing Conservation Section

The automated complaint tracking system and case management procedures used by the Housing Conservation Section make it difficult for managers and supervisors to provide adequate supervision to housing inspector staff. One problem is that the complaint tracking form used to record information for the system has basically become the case file. This case tracking form is kept



in chronological files based on the date the case is opened and the date when the case is closed. Any additional information that has been generated by the housing inspector, such as necessary enforcement action, is then attached to the complaint tracking form. It is only when a case becomes a substandard case that an actual case file is opened for the complaint. If a housing inspector or supervisor want to assemble all activity for a given address, they must physically pull each complaint tracking form that has been compiled. This process has been described by Housing Conservation staff as both inefficient and time consuming. Because the complaint tracking form contains little room to record case activity, the housing inspectors do not always document all case activity.

These problems with the automated complaint system and lack of case files have been acknowledged by Housing Conservation inspectors, supervisors and managers. The automated complaint system was developed to simplify operations. However, the net affect appears to be that the system dictates the type of information and the manner in which information is recorded, rather than the system being designed to meet record-keeping requirements. Housing Conservation managers acknowledge that the case system should be improved and that multiple case activity for a given address should be combined in one case file.<sup>4</sup> Additionally, it is acknowledged that the automated complaint form should be revised to provide the housing inspectors with sufficient space to document all case action. We agree with these planned improvements and view them as essential to providing greater case documentation and housing inspector activity.

### **Providing Adequate Staff Time for Supervision**

When questioned, managers and supervisors acknowledge the need for improved supervision but state sufficient time is not always available for this function.

This is especially true in the Development Controls Department and Development Controls Section. Managers and supervisors in these organizations are not only accountable for their own work responsibility, but also spend considerable amounts of time responding to complaints from the public, tracking the status of individual permit applications, and answering inquiries from the City Manager's Office and City Council. Although no specific analysis was conducted, it can conservatively be estimated from interviews that at least a third of all department manager and supervisor time is expended in this manner.

Recommendations on increasing customer service and the availability of public information are discussed in other sections of this report. It should be noted, however, that both these departments should make a concerted effort to reduce the amount of staff time used responding to public inquiries. One way to accomplish this is to provide the public with more information and increase overall community knowledge of the requirements of Oakland's development

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<sup>4</sup> Housing Conservation had such a procedure prior to the October 1989 earthquake but discontinued this practice because of storage space considerations.

process. This will require some additional funding but will ultimately prove less expensive than having department managers and supervisors continue to devote significant resources to responding to public inquiries.

While the Housing Conservation Section also must respond to public inquiries and faces a similar problem of assuring adequate dedication of staff time to supervision, the problem is less serious in nature. There is a need to provide additional public information materials and make the public more aware of the role Housing Conservation plays in the community.

### Use of Clerical Staff

The appropriate use and productivity of clerical staff was an issue raised by department managers and staff in all three of the studied departments. Staff complains that too much of their time is spent performing clerical duties for which sufficient clerical staff does not exist, is otherwise not available, or because clerical staff does not perform duties in a productive manner. The need for performance standards is relevant not only for those employees discussed above but for all staff including those with clerical responsibilities. After clerical workload and productivity has been evaluated, each department should give thought to requesting additional clerical staff, as appropriate, instead of more costly professional or managerial employees. The use of additional clerical staff can increase the efficiency and workload capacity of currently funded professional staff at a reduced cost.

### Staff Performance Evaluations

Regular staff performance evaluations are essential to communicate and recognize individual progress and achievement toward departmental and City-wide goals.<sup>5</sup> Without performance appraisals, the recommendations to establish performance standards and increase supervision have no meaning because staff does not become aware of how their efforts contribute to department performance.

As part of this study, over 50 interviews were conducted with line staff, supervisors and managers in the Development Services Department, Development Controls Division and Housing Conservation Section. Almost uniformly, staff indicated that they had not received regular performance evaluations over the term of their employment. Many individuals stated that it had been years since they had received a performance appraisal. While staff in the Development Services Department and Development Controls Division indicated that a number of staff were evaluated during the course of this study, it had been some time since their previous evaluation.

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<sup>5</sup> City Manager Administrative Instruction, "Performance Planning and Appraisal Procedures for Unrepresented Employees", July 30, 1989



Union agreements between employees in the studied organizations and the City include provisions providing for the review of employee performance. As an example, the Memorandum of Understanding between the City of Oakland and United Public Employees, Local 790 states:

Employees are entitled to Employee Service Ratings and Reports which outline progress and performance in their classification. The Employee Service Rating and Report shall primarily serve as a means (1) whereby an employee's performance may regularly be reviewed with the supervisor; (2) for ascertaining and encouraging the improvement in service by an employee; (3) for providing effective supervision of an employee; and (4) for noting and complimenting outstanding achievement by an employee.

The City Manager has a policy that provides for performance appraisal of unrepresented employees. This policy states the City of Oakland have a standardized and consistent process for appraising individual process and that the appraisal process begin with the development of performance plans with identified goals and individual work plans for unrepresented employees. Again, the explicit link between performance standards and performance appraisals is stated.

Each of the three department managers should develop appraisal evaluation forms that reflect the specific work requirements of employees under their control. For example, Development Services appraisal forms should be individually tailored to review permit technician, building inspector, plan check and other staff units as appropriate. Each department manager should insure that performance appraisals occur at specified intervals for both probationary and long service employees.

### Conclusion

Managers in the Development Services Department, Development Controls Division and Housing Conservation Section need to make improvements to increase their ability to implement the City's Performance Management System and insure greater organizational efficiency. Although improvements are not required for each organization for each issue discussed in this section, in general, managers need to:

- Develop comprehensive, clear and useable policy and procedures manuals;
- Develop clear and challenging department and individual performance standards;
- Provide increased supervision to assist employees in achieving performance standards and guarantee work quality; and,
- Perform regular performance appraisals of all staff.

If these improvements are implemented, organizational efficiency of operations would improve and necessarily result in increased quality of service to the public.

### **Recommendations With No New Costs**

The City Manager should instruct the Development Services Manager to:

- 3.1 Insure that the Department policy and procedures manual is complete by June 1992.
- 3.2 Develop and implement individual performance standard measures for all staff.
- 3.3 Provide training for Inspection Services managers, supervisors and field inspectors to insure consistent use of the PTS inspection scheduling system.
- 3.4 Develop procedures to provide for increased supervision of staff work effort that would specifically include auditing of plan check engineer work output, field auditing of inspector work and auditing of PTS data entry.
- 3.5 Conduct performance reviews for all staff during required appraisal time frames.

The City Manager should instruct the Development Controls Manager to:

- 3.6 Develop a Department policy and procedures manual and present this manual to the City Manager for review by June 1992.
- 3.7 Develop and implement individual performance standard measures for all staff.
- 3.8 Review all Department performance measures on an annual basis to set challenging goals for increased staff performance.
- 3.9 Conduct performance reviews for all staff during required appraisal time frames.

The City Manager should instruct the Housing Manager to:

- 3.10 Develop a Department policy and procedures manual and present this manual to the City Manager for review by June 1992.



- 3.11 Review current staff performance measure for relevance and develop and implement individual performance standard measures for all staff, as necessary.
- 3.12 Develop procedures to provide for increased supervision of staff work effort that would specifically include auditing of housing inspector field and case activity.
- 3.13 Adopt a case management system that would provide for use of case files for residences having more than one complaint.
- 3.14 Revise the current automated complaint tracking form to provide housing inspectors with sufficient space to document all case activity.
- 3.15 Conduct performance reviews for all staff during required appraisal time frames.

### Costs and Benefits

All of these recommended improvements to organization operations could occur without the expenditure of additional funds. Implementation of these recommendations will result in increased staff accountability and provide managers with an increased ability to measure performance both at the organizational and individual staff level.

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#### SECTION 4: TRAINING

EMPLOYEE TRAINING IS CRITICAL TO THE CITY'S ABILITY TO PROVIDE CITIZENS QUALITY SERVICES. THE CITY HAS BEEN IMPROVING ITS CENTRAL TRAINING PROGRAMS WITHIN AVAILABLE RESOURCES. HOWEVER, THE DEPARTMENTS DO NOT PROVIDE ADEQUATE EMPLOYEE TRAINING PROGRAMS. TRAINING IN EFFECTIVE SUPERVISORY PRACTICES IS THE MOST SIGNIFICANT TRAINING COMPONENT WHICH SHOULD BE DEVELOPED BY THESE DEPARTMENTS. SECOND ONLY TO THE NEED TO INSTITUTIONALIZE EFFECTIVE SUPERVISORY PRACTICES IS THE NEED TO TRAIN THE DEPARTMENT MANAGERS IN ATTITUDES AND ACTIVITIES REQUIRED FOR CREATING CUSTOMER SATISFACTION.

The City has been improving its central training programs within available resources. Employee training is critical to the City's ability to provide citizens with quality services. Training gives new employees information they need to do their work the way the City wants it done. Training gives all employees a chance to find out if they are doing their job correctly.

Employees can change incorrect or inefficient work practices before there is lasting damage or before the wrong method is taught to someone else. Training gives all employees a chance to learn new and better ways of doing their jobs, to use new improved equipment, and to keep up with the rapid changes that are occurring in every type of work. Training gives all employees a chance to grow on the job by learning new skills and by assuming added responsibilities that can result in benefits to citizens and promotions and salary increases for employees.

City department managers and their supervisors are responsible for training workers for their jobs and developing employee skills and abilities. A reasonable approach to meeting this responsibility is for managers to develop a training program and assign sufficient authority to an individual within their organization to carry out the training program. Training programs normally include a training plan containing a training needs assessment, a listing of the training resources required to meet the identified training needs and a training schedule for each employee. Managers should maintain records of the training needs and the training received by each of their employees, and should assess the quality and effectiveness of the training provided.

In order to meet these accepted organizational functions, the Development Services Department has prepared its first training plan as an initial step towards implementing a training program for the 1991-92 fiscal year. This plan is fairly comprehensive and optimistic. The Department Director has retained the authority to carry out the training plan. He plans to evaluate his managers and supervisors according to their employees' participation in the training program. Therefore, the training plan is more likely to be implemented effectively.

Employees will not receive the training needed unless their departments give someone the authority and the responsibility to insure that the employees are trained. Authority must be used so that employees can be temporarily relieved of normal duties and be trained as planned. Authority must be used to sanction employees who do not prepare for their training sessions and lesson plans as required and to discipline employees who miss classes. Authority should be given to a training officer to use the Department's resources and direct staff as required to carry out the Department's training plan.

The Planning Department and the Housing Conservation Section of OCD have not developed comprehensive training plans. The Planning Department has, however, outlined a series of in-house training classes for new employees in the Development Controls Division. The Division holds weekly hour-long staff team-building meetings to discuss Division operations and problem solving. The Housing Conservation Department has no substantive employee training and does not keep records of the employees who may have taken training classes on their own.

The departments have not included plans for providing employees with information about associated permit, land-use, and development activities in the other departments—Fire, Parks and Recreation, Planning, Housing Conservation, and Development Services. Without information from these associated activities, staff have not been able to consider means to improve coordination, eliminate redundant procedures, or have current information that is developed by one organization and used by another. For example, Housing Conservation inspectors report that they find that they cannot keep up with various changing zoning interpretations.

Employees of these departments could be encouraged to find ways to improve the efficiency and coordination of the services provided by the multiple departments if they are made aware of one-anothers activities. In addition, the City Attorney's Office could be encouraged to provide quarterly briefings on the evolving legal issues concerning development, building safety and land-use controls. For example, the City Attorney's Office regularly could recommend alternative methods for developing defensible cases for the Housing Conservation staff.

Certain department heads report that City's Office of Personnel Resource Management's Division of Human Resource Development (HRD) does not offer training that meets their departmental training needs. For example, one department head suggests that all of the City's department heads need training on the effective use and implementation of information systems. "Many managers in the City have little first-hand experience with the benefits and efficiencies to be gained through proper utilization of technology, nor do they have an understanding of the 'business transformation' process that must accompany effective implementation of new technology."

Such training is not offered by HRD. The departments could encourage the City Manager's Office and HRD to fund the development of specific training



programs that meet departmental needs. The departments could best develop the position papers and cost/benefit analyses required to encourage such expenditures through the activities of their training officers in the development of departmental training plans.

The costs involved with training would entail the allocation of staff time to training sessions averaging eight hours per month per employee. This may require either additional staff or expenditures for additional overtime work to compensate for the job time lost. The actual cost for training materials including the training programs cited below should not exceed \$5,000. These costs would support a minimally acceptable training program. The increasing development and use of effective training programs would eventually require significant allocation of City resources as an investment in future productivity increases.

### Effective Supervisory Practices

The most important subject for training is supervision. This subject is, with some exceptions, virtually absent from the departments' training plans. The exceptions that provide a modicum of supervisory training are certain courses provided by the OPRM.

These courses provide training for various specific skills required by supervisors, such as teamwork, interviewing, managing troubled employees, writing, conducting effective meetings, planning, and time management. The departments do not require or monitor employee participation in these training sessions. Although the City has hired an outside consultant to provide a program for training the City's managers in performance planning and appraisal techniques, the departments do not have records of their manager's attendance at this program's training sessions.

Currently, there is no training program for teaching basic supervision concepts and integrating them with the City's organization. However, the Development Services Department training plan for FY 1991-92 includes a seminar on basic supervision.

Supervision training provided by outside "expert" vendors is often expensive, inefficient, and not likely to be as effective as training provided by the City's own experts. The departments' managers should conduct supervision instruction. The supervisors need to know that expertise in supervision resides within their organization and that managers will hold them accountable for providing supervisory services to their employees. Even when managers attend the classes themselves and firmly believe in the information provided, most managers have difficulty holding their employees accountable to perform tasks learned from "experts" outside of their organization.

The reason for this is that employees normally need to hear the standards for their performance from the manager who will hold them accountable for that performance. When the manager tells an employee how something is to be done, the employee more effectively learns that they are to be held accountable. When managers hire an outsider to teach their employees, the employees may believe

that their managers do not know the information themselves. The current system does nothing to teach employees that managers know how to supervise or how to hold supervisors accountable for supervision of employees.

The following are some examples of the duties that supervisors normally have:

- Explaining policies, procedures and rules
- Planning and scheduling work
- Training employees for the job and developing in them a desire to serve the public faithfully and well
- Training employees in safety practices
- Insuring that materials and equipment are used economically
- Getting tools, equipment, and materials to the job site on time
- Making work assignments
- Getting the right employee on the job at the right time
- Controlling accident hazards
- Maintaining good housekeeping on the job
- Building and maintaining morale
- Encouraging teamwork
- Settling differences among employees
- Improving discipline
- Adjusting complaints
- Checking and inspecting work
- Improving quality and quantity of work
- Controlling attendance (absence and tardiness)
- Keeping records and making reports
- Working cooperatively with other departments and offices
- Building and maintaining good relations with the public



Managers must be especially skilled in the performance of these duties. In addition to their management responsibilities, managers must supervise and must explain, train, and evaluate supervision. The department and division heads involved with this study report that training in this area is one of the most important things lacking within their organizations.

One efficient method to train these managers in effective supervisory practices is for the City Manager, teamed with Human Resource Development staff, to hold supervisory training seminars for the managers who report to him. There are various sources of materials for in-house managers to use to train their employees in supervision. Most appropriate is a set of training material offered by the International City Management Association (ICMA). In addition to the text, this training program includes a training guide, lesson plans, handouts, learning exercises and other support items for the City's management leader.

### Creating Customer Satisfaction

Second only to the need to institutionalize effective supervisory practices is the need to train the departments' managers in attitudes and activities required for creating customer satisfaction. We discuss the need for such training within Section 2. That Section recommends overall systems for establishing quality assurance and customer satisfaction in the delivery of services to Oakland's citizens.

Customer satisfaction is an essential factor in evaluating the success or failure of service organizations such as Housing Conservation, Development Controls, and Development Services. Improved customer service will enhance the operational effectiveness of these service activities and will make the jobs of the employees involved more rewarding and enjoyable. Put simply, customer satisfaction is work, but customer dissatisfaction is even more work.

In the early Fall of 1989, the City's Office of Personnel Resource Management (OPRM) set forth a program to "improve or enhance citizen relations and service to customers...as a long-term, ongoing, comprehensive process that includes every aspect of the organization. Any new effort should also build on the City's Performance Management System and executive development activities." The estimated cost for the initial part of this program was \$48,500 for Learning Center Workshops for 225 upper level managers and \$80 per participant for a continuation of "Customer Relations" training sessions for reception employees. Staff estimated that a full City-wide customer service improvement training program would cost between \$224,300 for a consultant provided program, to \$600,000 for a custom designed program for the City.

Primarily because of the expense of the training program and the organizational disruption caused by the earthquake which occurred during program planning stages, OPRM has taken only preliminary steps towards implementing this training program. For this study we have not looked at City-wide solutions. A reasonable and efficient method for beginning ongoing training customer satisfaction skills within the recommended integrated office

recommended in Section 1 or, if the reorganization is delayed, the individual departments, is a training program that develops expertise within the new organization

This is similar to the idea presented above for integrating effective supervisory practices into the City's organization. The ICMA also provides a set of training material for developing customer satisfaction skills within the municipal organization. This "The Citizen as Customer" training program would cost less than \$30 per employee.

This program includes audio taped case studies, a participants handbook, and a user's guide for the unit managers and supervisors to train their employees. There are three training workshops:

- **Providing Quality Customer Service**—provides three half-day sessions designed to help managers and employees examine their existing programs and procedures, to explore ideas for insuring customer satisfaction, and to gain an organization-wide commitment to quality customer service.
- **Public Contact Skill building**—four half-day sessions that help managers and employees identify public contact skills and focus on the roles and responsibilities of those who supervise customer service employees.
- **Managing Customer Service Operations and Personnel**—four half-day sessions that examine key issues involved in managing customer service systems and personnel.

This program could be an effective and low cost start in developing the comprehensive customer service training program envisioned by the City's Office of Personnel Resource Management. The Office of Personnel Resource Management should be an active participant in assisting department managers and supervisors with support in training methods and other resources for training employees in creating customer satisfaction.

### Management Information Resources and Support

Most of the City's managers have had careers focused on one area of professional expertise—engineering, planning, code enforcement, law, recreation, police services, etc. The professional organizations and other informational resources available to these managers rarely provide a management generalist perspective on dealing with organizational problems.

The City lacks an information and referral resource for its managers to locate up-to-date information and advice concerning their management, supervisory, and customer service issues. The City Library could enhance its business collection to develop an information center for issues of city governance—supervision, customer service, public administration, organization, etc. It could work with the libraries supporting the School of Public Administration at Hayward, and the Institute for Governmental Studies and the



Public Policy School at the University of California at Berkeley. These schools could also provide the City's managers with individual specific advice on technical administrative problems that they might have. They should be able to refer City staff to other communities that have dealt with similar problems faced by the City. In addition, the Library could refer an individual City supervisor to the City's Office of Economic Development and Employment that provides similar small business support services.

The City's managers may not be aware of the wealth of information sources available to assist them with developing opportunities for improved services. There are few problems that have not been addressed elsewhere. The City needs to take advantage of the experiences of other communities. A generalist public management information center for the City would be one way of providing managers with this information through the resources of the City Library as an extension of its current business and management collection.

### **Conclusion**

Employee training is critical to the City's ability to provide citizens quality services. However, the departments do not provide adequate employee training programs. Training in effective supervisory practices is the most significant training component which should be developed by these departments. Second only to the need to institutionalize effective supervisory practices is the need to train the department managers in attitudes and activities required for creating customer satisfaction.

### **Recommendations With New Costs**

The City Manager should:

- 4.1 Institute an in-house supervisory training program in which the City's top managers become the resident experts on supervision and train and hold their own staff responsible for effective supervisory practices.
- 4.2 Provide managers and supervisors of the proposed new office with support in training methods and other resources for training employees in creating customer satisfaction.

### **Recommendations With No New Costs**

The City Manager should:

- 4.3 Direct the managers of the recommended proposed new office to develop a training program containing a training needs assessment, a listing of the training resources required to meet the training needs identified, and a training schedule for each employee.
- 4.4 Direct the managers to maintain records of the training needs and the training received by each of their employees, and assess the quality and effectiveness of provided training.

- 4.5 Direct the managers to assign sufficient authority to an individual within their organization who will be responsible for carrying-out the training program.
- 4.6 Direct the managers to include training program components which include plans for providing employees with information about associated permit, land-use, and development activities in the sections of the integrated office, and in other departments involved with providing these services.
- 4.7 Encourage the City Attorney's Office to provide quarterly briefings to office staff on the evolving legal issues concerning development, building safety and land-use controls. The City Attorney's Office should recommend alternative methods for developing defensible cases for the Housing Conservation staff.
- 4.8 Direct the City Library to develop an information and referral resource for its managers to locate up-to-date information and advice concerning management, supervision, and customer service issues.

### Costs and Benefits

Developing adequate training and training support programs as recommended would significantly improve the City's ability to provide quality citizen services and will increase citizen satisfaction with the services provided. These training programs will provide new employees information they need to perform work the way the City wants it done; give all employees a chance to find out if they are doing their job correctly; give all employees a chance to learn new and better ways of doing their jobs, to use new improved equipment, and to keep up with the rapid changes that are taking place in every type of work; and give all employees a chance to grow on the job by learning new skills and by assuming added responsibilities that can result in benefits to the citizens and promotions and salary increases for employees. The Office's managers will be able to supervise and explain, train, and evaluate supervisory activities for their employees.

The costs involved with training would entail the allocation of staff time to training sessions averaging eight hours per month per employee. This may require either additional staff or expenditures for additional overtime work to compensate for the job time lost. The actual cost for training materials should not exceed \$5,000. These costs would support a minimally acceptable training program. The increasing development and use of effective training programs would eventually require significant allocation of City resources as an investment in future productivity increases.



## SECTION 5: DATA SYSTEMS

THE DEPARTMENTS RISK WASTING FUNDS ON SYSTEMS THAT MAY NOT BE APPROPRIATE TO THEIR LONG TERM REQUIREMENTS OR MAY NOT BE COMPATIBLE WITH ONE ANOTHER'S PURPOSES. WITHOUT A CLEAR DETERMINATION OF THE DESIGN AND FUNCTIONALITY OF THE SYSTEMS THAT THE DEPARTMENTS WILL DECIDE TO ADOPT, THE DEPARTMENTS APPEAR TO BE MOVING FROM ONE SET OF SYSTEM REQUIREMENTS TO ANOTHER WITHOUT A UNIFIED PURPOSE. PENDING THE EVALUATION OF ALTERNATIVE SYSTEMS, THE CITY SHOULD NOT EXPEND \$185,000 FOR A PROGRAMMING CONSULTANT AND 560 OCIS STAFF PROGRAMMER-DAYS TO UPGRADE THE CURRENT PERMIT TRACKING SYSTEM. THE PTS NEEDS TO BE REPLACED WITH MODERN DISTRIBUTED SYSTEMS OPERATING ON PERSONAL COMPUTERS. THE CITY SHOULD SEEK A SYSTEM THAT WOULD BE USED AND SHARED BY ALL OF THE ASSOCIATED DEPARTMENTS.

The Office of Public Works' Development Services Department has been using a computerized system to maintain information about its operations. This "Permit Tracking System" (PTS) generally provides the following:

- Permit application tracking
- Permit fee calculations
- Construction inspection tracking
- Code violation abatement tracking
- Contractor activity monitoring

There have been many inadequacies in the operation of PTS. The system is not well documented and OCIS has not committed any time to maintaining the system. Therefore the system has become unreliable and it is often out-of-service. We have found that much of the information in the system is not accurate. For example, fees paid are often not allocated to the appropriate accounts or funds.

The Development Services Department proposes to have the system improved to automatically notice certain property owners as required by law, process and track permits issued by the Engineering Division currently kept in manual logs, track the time to process permit applications for performance monitoring and statistical reports, provide public access to information on the status of permit applications, and to enhance various technical and operational aspects of the current system.

The Planning Department's Development Controls Division has not had computerized support to track and maintain data concerning zoning permit application processing. Planning management publicly committed itself to develop a system to better manage its permit application process and has plans to have the PTS system enhanced to include system support for Development Controls operations. The proposal calls for the PTS system reprogramming which is being performed for Development Services to include the following systems for Development Controls: permit application caseload management, conditions of approval monitoring, public inquiry response, code violation tracking, and automated public notification.

The planned software reprogramming by a private consultant is estimated to cost approximately \$185,000, including \$140,970 for Development Services and \$44,030 for Development Controls. Additional software reprogramming by in-house Office of Corporate Information Services' (OCIS) staff is estimated to take 560 staff-days of work. OCIS estimates that similar programming work performed by a private contractor would cost nearly \$320,000. The City would purchase additional computers and other equipment estimated to cost approximately \$191,200 for the proposed new system. The initial reprogramming would take over nine months and the final work by OCIS would take at least an additional year and a half. If the consultant contracts were let on August 1, 1991, OCIS estimates that the system enhancements currently envisioned would not be complete until the end of November 1993. However, some system improvements would be expected to be operational in May 1992.

The planned PTS revisions would not include support for the Office of Community Development's Housing Conservation Section. Housing Conservation has developed its own data system on personal computers using a standard small systems data base program. The property address and parcel references used by this system are not compatible with the Development Services PTS's address and parcel references.

Therefore, the Housing Conservation Section data system does not have record of the permits issued for each property being inspected for housing violations and will not share the information on planning permits that would be included in Development Controls' proposed new data system. The OCIS Director states that the Housing Conservation data system must eventually be merged with the electronic data systems used by Development Services and Development Controls. The reason for this is that they all use the same basic property file information and share the need to access historical information concerning each property, the permits associated with the property, zoning status, and prior City code violations. (Below, we discuss OCIS's long term plans for integrating all of the City's property related information and maps electronically into a single data system). However, there are no current plans to merge the Housing Conservation system with PTS. The longer the delay in translating the Housing Conservation files into a standard system, the larger the incompatible files will be and the more costly the transfer of data will be.



The PTS system has several deficiencies that would not be addressed under the current plans to improve the system. The current lack of accurate information is at least partly the result of the difficulty of capturing the information and entering it into the computer system. Without some means to accumulate the additional information that will be required by the proposed upgraded system, there is no guarantee that the information placed into the system will be accurate or that collecting the information will not cause additional delays in the processing of applications.

For example, a primary objective of the proposed upgraded system is to determine the time taken for each step in the permitting process. However, the managers have not determined a method to gather this time data. We suspect that methods for recording, reporting, and inputting the following times will not be accomplished without a significant amount of difficulty: the time an application reaches a certain work station, the time work is actually begun on the application at the workstation, the time work is completed on the application at the work station, and the time the application arrives at the succeeding workstation. This sequence of recording time information will be required for every step of the application processing operation. Nevertheless, the planned system will not account for the "suspense time" that an application is not acted upon and sits in a bin possibly awaiting further information or a specific staff member to return from vacation.

In addition, the PTS system does not allow for the manipulation of data in the system for various ad hoc analyses. For example, the planned upgrade would not allow an analysis of building inspector productivity by inspection district. Also, the proposed PTS would not serve the information requirements of the proposed Quality Assurance Section. In order to track performance standards, the system will require information on the reasons specific actions are taken by staff—for example, the reasons for: returning an application at the Planning Intake Counter, for turning down a construction application, for requiring that construction be modified for an occupancy permit, etc. The planned new PTS would not track individual performance.

There are additional significant concerns with the development plans for the PTS beyond its lack of planned integrated support for Housing Conservation's data processing requirements. The PTS system, even after it is upgraded, is not a system that will meet the needs of the City in the future. Simply put, it is an old system that integrates its data files management with its application program. As additional operational features are added to PTS, its computer programming code becomes longer and more complex, and difficult to maintain and change.

Modern systems maintain data files apart from the application software. These modern systems are often called client-management or distributed systems. In these systems, various independent computers (small personal computers, mid-sized minicomputers, and large main-frame computers), operating their own specialized application programs, can access another file-server computer's data files and extract the information required. Under this modern system, central data files can be shared by many computer systems each

operating a program specially designed to serve the requirement of an individual employee, division, or department.

These systems are more efficient than the older systems in which the program and data are commingled on single large computers and accessed through terminals. The efficiencies come because the application programs normally can be used on small personal computers and therefore cost less. Because the smaller programs are specialized to individualized functional needs, they are often less expensive to maintain and upgrade, or replace as required. In addition, the smaller specialized programs tend to be easier to use because their design makes them more sensitive to the users needs. Also, because the operation of the system is spread over several computer systems on a network, there normally is a built-in redundancy in the system. One computer failure does not make the entire system fail.

For these reasons, the OCIS Director plans to eliminate the PTS as soon as possible and replace it with a modern distributed, client-manager system. However, he believes that the the time and expense for the planned PTS upgrade is justified because the departments require the information from the upgraded PTS as soon as possible. They do not want to wait for the modern permit management system that they know will be eventually made available.

However, there are several software packages immediately available that could meet the present and future needs of all three departments. These software packages would not cost the City more than the anticipated cost of consultant and OCIS reprogramming of the PTS. For example, San Mateo County recently installed such a system for its planning, code enforcement, and building inspection functions. That system cost less than \$80,000. Although such small systems may not meet all the requirements of a planned system for the future, these smaller readily available systems could be installed and made operational quicker and at less cost than could the current PTS enhancements.

In addition, OCIS staff report that there maybe ready-made permit tracking systems available that are specifically designed to operate on OCIS' AS/400 mini-computer. OCIS could demonstrate the operation of such systems to the managers of the three departments. After analyzing these alternative systems, the department managers could determine the systems' suitability to meet their departmental requirements. OCIS could determine the time required to install and begin operating each alternative system. OCIS and the departmental managers believe that they could complete this review of the alternative systems within approximately six weeks.



## Requirements Planning

Beyond the issue of the PTS upgrade, the departments have need for computer information services that they have not considered. The departments have not worked together with OCIS support to determine and plan for computer needs. For example, other local governments in the Bay Area, including San Francisco and Contra Costa County, are either currently using or have plans to integrate the following functions into their operations:

- Accessing the State's computer files to substantially reduce (through automation) staff's time consuming checks of contractor licensure and workers compensation insurance.
- Using small portable notebook sized computers for field inspections by code enforcement personnel and building inspectors. These small computers eliminate the need to carry files of documents around and by using pen-like stylus systems, are able to capture the inspection information without additional input into the main permit tracking system. One city estimates that the use of this system allows its inspectors to perform at least two additional inspections each day because of the efficiency of entering information into forms and records without paperwork.
- Imaging systems that either accept the developer's digitized plans on a floppy disc or scan the plans and associated documents into the computer's files. One city plans to virtually eliminate the need for paper documents; all the plans and records for a specific property would be maintained together on the computer electronically.
- Automating the initial analysis of developer applications and plans to give them instantaneous response regarding compliance with city codes.
- Using field computers and cellular phones to reduce the time that inspectors need to be in their offices.

Although the various department managers have indicated that they would like to see their organization adopt similar systems, the departments' managers have not prepared a plan determining which of these technologies is appropriate for integrating into their operations. Without a clear determination of the design and functionality of the systems that the departments will decide to adopt, the departments appear to be moving from one set of system requirements to another without a unified purpose. The departments risk wasting funds on systems that may not be appropriate to their long term requirements or may not be compatible with one another's purposes.

The departments should work with the OCIS to discuss the alternative system designs that would be of service to their operations over the next three to five years. They should consider their fee structure and their cash-flow projections in determining the scheduling of the purchase of any new technology system. The City should be assured that any new system would pay for itself

through increased productivity or provide substantive customer benefits. The departments have not analyzed the proposed PTS upgrade sufficiently to determine that the short term benefits from the system are worth the expenditure involved. No projected benefits from the proposed PTS upgrade have been documented.

The City should not proceed with the proposed PTS upgrade. A task force should be appointed to visit various cities and counties in the Bay Area to observe the operation of the various permit management systems and to learn about the short and long term plans adopted by each agency. (The San Francisco Bureau of Building Inspection, for example, revises its three year automation plan each year to keep it up-to-date. It plans to have a fully automated paper-less distributed processing system, networked and sharing data with the Planning Department's computers, in operation by the end of 1993.) The task force should also have several system vendors demonstrate their permit management software and should actively work with OCIS to develop appropriate distributed management information and control systems.

The task force should seek a system that would be used and shared by all of the associated departments. The system should allow for distributed processing at nodes around a network. Data should be accessible by all the distributed systems.

The task force should determine which technologies are appropriate for the City's activities and how and when it plans to incorporate the appropriate technologies with the City's operations. It should establish a three to five year plan itemizing the costs and the benefits of the various alternatives for replacing the PTS and adopting new technologies and management systems. The plan should be reviewed, amended and adopted by the City Council. The City should then take immediate action to effect the plan. This process should be repeated annually.

The OCIS Director suggests that such a task force would require over nine months to adopt a plan to replace PTS. We estimate that, by using the plans from other cities and counties, the task force could edit the plans into a plan appropriate for the City of Oakland within two months. We recommend that the City Council and City Manager give the highest priority and full support to the task force.

### Scanning System for Immediate Data Requirements

A low cost short term alternative to investing in the proposed PTS upgrade is adopting a small system that would provide intermediate benefits. For example, the departments could acquire a bar code system that would track the status and the action taken on each application or complaint. If each application or complaint were assigned a bar code label at the time it was filed, its progress through the system could automatically be tracked by each staff member scanning the file's code and activity or action code with a scanning device.

The scanning device would register the name of the staff person acting on the file and the time and date of the action. The data could be collected each



evening into a personal computer for consolidation into activity and status reports. Such a system would capture the customer service information and quality assurance information required by the associated recommendations made in Section 2. It would provide the data input for the larger system eventually adopted by the City. This type of system could be installed immediately throughout the recommended new integrated office for approximately \$40,000. The system could be used on the computers currently on hand and/or the fifty additional computers currently planned for purchase.

The bar code scanners are small battery operated devices about the size of a credit card. The scanners have an internal code designation that would be assigned to an employee and have an internal clock. When the bar code on an application or complaint file is scanned, the scanner's internal memory registers the file number, the time and date, and the employee working on the file. Then the employee scans an appropriate activity bar code from a list of activities and the resulting action from another list. Thus, the progress of a file can be tracked through the system. The appropriate information would be gathered nearly effortlessly.

At the end of each day, the employees would place their scanners in a recharging device that also extracts the day's data from the scanners' memories. This data would be accumulated in a data base program on a small personal computer. The data then could be summarized and analyzed for any number of reports. It could also be electronically passed along to a office-wide permit tracking system. A bar code scanning system could gather and report nearly all of the information required for management reports and quality assurance analysis with little or no error. In addition, the bar code scanning system could be used by any permit tracking and management system eventually adopted.

### Automating Permit Notification

A personal computer mapping system could help the Planning Department's Development Controls Division with its permit notification responsibilities. When someone requests permission to build or expand existing structures, the Division must notify property owners within 75 or 300 yards of the site depending on application type.

Traditionally, permit notification has been a very time consuming manual task. First, the parcel must be located from a book or drawer full of parcel maps. Then, the notification area (a "buffer" zone) must be calculated and drawn for the area. Next, the Assessor's parcel number from the "potentially impacted parcels" (those within the buffer) must be recorded manually. Lastly, the parcel numbers are matched to a database for parcel owner information. Finally, a permit notification letter is sent out.

A personal computer mapping system would automate the permit notification process, saving the Development Controls Division time and effort. A full featured system has digitizing capabilities so parcel maps can be drawn in digital form and stored in a computer. Information about these parcels are stored

in a database on the computer and is linked to the geographic file through the Assessor's Parcel Number or a similar identification code.

When a zoning permit application is received, a planner simply need to select that parcel and indicate what size buffer needs to be generated. The system will generate the buffer and will produce a report with information about the affected parcels. This information could be printed to a disk and used in a word processor to generate letters and mailing labels for the notification.

The Planning Department purchased a computer mapping system for approximately \$1,000. However, it is not capable of performing buffer analyses. There are similar systems costing approximately \$3,000 that will perform buffer analyses.

In addition, such a system could be used to instantly look-up the zoning designation for a specific parcel. This look-up capability would save significant time for the clerks at the Division's customer service desk. Using the mapping system on a personal computer at the counter, they could respond to zoning inquiries in much less time than it now takes to search through map books. The Division could use the computer equipment budgeted for the PTS expansion to operate the mapping system.

### Geographic Data Center

OCIS staff are currently planning to eventually consolidate all of the City's location or property based information in a system commonly called a geographic or *geo-file* system. Eventually, this would serve as the common data file for the City's zoning, code enforcement, and permit data. It would also maintain the maps required by the City. Staff has established a set of standards for such data that conforms with the geo-file data kept by the other East Bay cities, counties and special districts. This will insure that geographic information can be shared among these agencies.

Developing and maintaining geo-file systems is expensive. The East Bay Municipal Utilities District (EBMUD) reports that it has spent over \$1 million in developing its system. An alternative to each agency spending similar funds to develop independent systems would be for the agencies to form a joint venture consortium to share the development, maintenance and operational costs of a regional geo-file system. Although the staffs of the various agencies have discussed the need to eventually form such a joint venture consortium, the idea is languishing and may never be implemented without policy directive. The City Council could consider memorializing the Association of Bay Area Governments, Alameda and Contra Costa Counties and the EBMUD (among others) to create a planning group. This planning group could evaluate the feasibility, costs, savings and benefits of forming a geo-file consortium.

There are several precedents for such a geo-file consortium. The most prominent is the Indianapolis Mapping and Geographic Infrastructure System (IMAGIS). IMAGIS is controlled by a consortium made up of city departments, county agencies, private utilities and the local university in the Indianapolis area.



The program provides a geographic-based information system for planning, engineering, utility and related public service activities within Marion County.

According to an IMAGIS brochure, "IMAGIS will be a single source of accurate mapping, providing a shared geographic data base among City-County Departments and utilities, thus eliminating costly duplication in mapping efforts. IMAGIS combines the best of a highly accurate computer assisted mapping system with the flexibility and power of a state-of-the-art information management system. It will increase efficiency for participants and allow for greater cooperation among City-County Departments and between government and the private sector. The system will provide the platform for facility management for public works, transportation and utilities. It will also be the base for very advanced infrastructure geographic and demographic modeling. In short, IMAGIS will improve the quality of service to the public and make available services that are only possible in a hi-tech, cooperative environment. Cooperation in the public interest...that personifies IMAGIS."

### Conclusions

The City should not expend \$185,000 for a programming consultant and 560 OCIS staff programmer-days to upgrade the current Permit Tracking System until the departments have considered less costly alternative ready-made systems. The departments and OCIS report that they can review various alternative systems by September 15, 1991. As soon as practicable, the PTS needs to be replaced with modern distributed systems operating on a combination of personal computers and larger centralized computers acting as database information servers to the system.

The departments risk wasting funds on systems that may not be appropriate to their long term requirements or may not be compatible with one another's purposes. The departments' managers have not prepared a plan determining which technologies are appropriate for integrating into their operations. Without a clear determination of the design and functionality of the systems that the departments will decide to adopt, the departments appear to be moving from one set of system requirements to another without a unified purpose. The City should seek a system that would be used and shared by all of the associated departments.

The departments should acquire a bar code system that would track the status and the action taken on each application or complaint. The proposed bar code system would be a low cost short term alternative to investing in the proposed PTS upgrade and would provide immediate benefits. The bar code scanning system could be used by any permit tracking and management system eventually adopted.

A personal computer mapping system should be acquired to automate the permit notification process, saving the Development Controls Division time and effort. In addition, such a system should be used to instantly look-up the zoning designations for each parcel. This look-up capability would save significant time for the clerks at the Division's customer service desk.

OCIS staff are currently planning to eventually consolidate all of the City's location or property based information in a system commonly called a geographic or *geo-file* system. Eventually, this would serve as the common data file for the City's zoning, code enforcement, and permit data. It would also maintain the maps and other property related information used by the City. However, developing and maintaining geo-file systems is expensive. As an alternative to each agency spending similar funds to develop independent systems, the East Bay local government and utility agencies should form a joint venture consortium to share the development, maintenance and operational costs of a regional geo-file system. Although the staffs of the various agencies have discussed the need to eventually form such a joint venture consortium, the idea is languishing and may never be implemented without policy directive.

### Recommendations With New Costs

The City Council should:

- 9.1 Appropriate funds for the departments to acquire a bar code system that would track the status and the action taken on each application or complaint.
- 9.2 Appropriate funds for the Planning Department to acquire a personal computer mapping system to automate the permit notification process.

### Recommendations With No New Costs

The City Council should:

- 9.3 Pending the evaluation of the alternative permit monitoring systems recommended below, not authorize expenditure of \$185,000 for contract programmer services and 560 OCIS staff programmer-days to upgrade the current Permit Tracking System. However, the City Council should not restrict the planned purchase of various desk-top computer equipment budgeted at \$191,200.
- 9.4 Memorialize the Association of Bay Area Governments, Alameda and Contra Costa Counties and the EBMUD (among others) to create a planning group to evaluate the feasibility, costs, savings and benefits of forming a geo-file consortium.

The City Manager should:

- 9.5 Direct the departments to work with OCIS to review ready-made alternatives to continuing the use and development of PTS. By September 15, 1991, the departments should report to the City Manager their selection of alternative systems or the benefits of continuing with the current PTS.
- 9.6 Direct the departments to work with the OCIS to discuss the alternative system designs that would be of service to their operations over the next



three to five years and actively work with OCIS to develop appropriate distributed management information and control systems.

### Costs and Benefits

By not upgrading the Permit Tracking System, the City will save \$185,000 for contract programmer services and 560 OCIS staff programmer-days. By replacing the PTS with modern distributed systems operating on personal computers the City will have a system that is more likely to be appropriate to their long term requirements and a system that would be used and shared by all of the associated departments.

The acquisition of a bar code system costing approximately \$40,000 that would track the status and the action taken on each application or complaint will be a low cost short term alternative to various elements of the proposed PTS upgrade and would be used by any permit tracking and management system eventually adopted. The bar code scanning system would gather and report nearly all of the information required for management reports and quality assurance analysis with little or no error.

The acquisition of a personal computer mapping system costing approximately \$3,000 will automate the permit notification process, saving the Development Controls Division time and effort. In addition, such a system will be used to instantly look-up the zoning designations for each parcel. This look-up capability will save significant time for the clerks at the Division's customer service desk.

The consolidation of all of the City's location or property based information in a system commonly called a geographic or *geo-file* system would serve as the common data files for the City's zoning, code enforcement, and permit data. It would also maintain the maps and other property related information used by the City. However, developing and maintaining geo-file systems is expensive. The formation of a joint venture consortium to share the development, maintenance and operational costs of a regional geo-file system is an alternative to each agency spending similar funds to develop independent systems.

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## SECTION 6: ZONING PERMIT PROCESS

THE CITY PLANNING DEPARTMENT DOES NOT TAKE FULL ADVANTAGE OF OPPORTUNITIES FOR PARALLEL PROCESSING OF ZONING AND BUILDING PERMIT APPLICATIONS. ADDITIONALLY, THE DEPARTMENT DOES NOT EFFECTIVELY USE COUNTER PERSONNEL, OR ADEQUATELY ADVISE CUSTOMERS OF APPLICATION COMPLETENESS. BY ALLOWING PARALLEL PROCESSING OF PLAN CHECK REVIEW, IMPLEMENTING IMPROVEMENTS TO COUNTER OPERATIONS, AND REQUIRING THE DEPARTMENT TO NOTIFY APPLICANTS OF FILE COMPLETENESS, OPERATIONAL EFFICIENCY WOULD INCREASE AND RESULT IN INCREASED CUSTOMER SERVICE.

Prior to construction occurring in the City of Oakland, the Planning Department determines whether the proposed use of the land and the location of the proposed construction on that land is in compliance with the City's Zoning Regulations. In certain cases, an applicant is required to receive a zoning permit or receive some type of zoning approval before the project can be initiated.

There are two types of permits required for zoning and construction projects. Ministerial permits are issued for projects when adopted policies and standards clearly delineate the City's jurisdiction over the project. Building permits are the most common example of ministerial permits because they are issued for all projects based on standards (e.g. the Uniform Building Code) that do not require discretion on the part of City officials. If the standards are met, the permit must be issued.

The Planning Department primarily issues discretionary permits. Discretionary permits are those that allow some discretion on the part of the City in deciding if a project is in compliance with all State and City land-use and zoning regulations. The Planning Department issues discretionary permits in the following areas:

- Use permits: Use permits are required for applicants whose proposed projects do not strictly meet zoning requirements but fall into the category of conditional uses as specified in the Zoning Regulations. Projects can require either a major or minor conditional use permit.
- Variances: Variances are required if a proposed project is generally not in conformance with Zoning Ordinance regulations because of special site circumstances it would be impossible for the project to be in full compliance with the requirements of the Zoning Ordinance. Projects can require either a major or minor variance.

- Design Review: Design review evaluates proposed projects which require special design treatment and consideration of relationships to the physical surroundings. Review is conducted through either a checklist process or discretionary analysis of project characteristics.
- Planned Unit Developments: Planned Unit Developments (PUD) are large integrated development projects that adhere to a comprehensive plan. PUD's are reviewed to encourage appropriate design and location.
- Subdivisions: Permits for subdivisions are required to insure that the proposed project is in compliance with the Zoning Regulations.
- Resining: Rezoning applications are considered when a proposed project requires a change in the current zoning designation.

### **Permit Application Processing Procedures**

While all construction is subject to review by the Planning Department, only those projects that need one of the permits described above must obtain a zoning permit. If a prospective project is zoned appropriately and meets the requirements of the Zoning Regulations, then no zoning permit is necessary. For most construction projects in the City, a separate zoning permit is not required.

### **Environmental Review**

Applications for zoning permits are accepted at the zoning counter. For all discretionary permit applications, the first step is to determine what level of environmental review is required. Under the provisions of the California Environmental Quality Act of 1970 (CEQA), the City is required to consider the environmental consequences of its actions. The level of environmental review required for a proposed project is a function of the degree of impact that project would have on the environment. The vast majority of projects (over 90 percent) receive categorical exemptions based on lists of excluded project categories contained in the State CEQA guidelines. A flow chart of the environmental review process is presented in Appendix 6.1.

For those projects not considered categorically exempt under CEQA, Planning Department staff prepare an initial study of the environmental impacts of a project. If based on this initial study it is determined that the project will not have a significant environmental impact, a "negative declaration" is prepared. If the Initial Study indicates that the project may have a significant environmental impact but can identify mitigation measures that would reduce this impact, then a "mitigated negative declaration" is prepared. The project sponsor then must agree to incorporate these measures into the project as a condition of approval.

For those projects in which the initial study determines that a significant environmental impact exists and mitigation measures can not be incorporated into the project, an Environmental Impact Report must be prepared. These



reports consume significant amounts of time and are usually prepared by outside consultants hired by the City.<sup>1</sup>

As noted above, the vast majority of projects are determined to be categorically exempt. Based on 1988 statistics, of 717 CEQA applications, 660 were categorically exempt (92 percent), 50 received negative declarations (seven percent) and seven required EIR's (one percent). However, according to the Planning Department Environmental Coordinator staff expend 75 percent of work effort for EIR preparation, 22 percent for negative declarations and three percent for categorical exemptions.

Currently, environmental impact review staff workload is allocated throughout the Department, so that both current and advanced planning staff receive assignments. Based on staff interviews, Department planners report that preparing these environmental reports consume significant amounts of staff time. The Planning Department has included a proposal for their FY 1991-92 budget that would fund three new positions through new and increased fees for environmental review. These new staff would have responsibility for preparing environmental review reports, consolidating and removing much of this responsibility from other planning staff.

We agree with this proposal. The current system is not efficient and impacts productivity throughout the Department. By conducting environmental reviews with specific staff, a greater emphasis on EIR activity will occur and planning staff will be permitted to concentrate on their regular work assignments. Ultimately, this should allow greater efficiency in the processing of zoning applications and reduce permit processing times.

### **Zoning Permit Applications**

Current Planning Department policy requires that environmental review must be completed prior to the processing of zoning permits. After this review is completed, then the processing of all required zoning permits will begin. As mentioned above, the primary permits required are major use permits and variances and minor use permits and variances. Design review (which reviews project proposals for compatibility with the neighboring environment) for certain projects as well as subdivision permits are also significant components of Planning Department workload. For Fiscal Year 1989-90, the workload was allocated as shown in the table below.

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<sup>1</sup> Background provided by memo from City Planning Department staff to City Planning Commission, "Environmental Review Process under CEQA including the focused EIR", October 16, 1990.

**Table 6.1**  
**Planning Department Permit Application**  
**Workload FY 1989-90**

<u>Permit Type</u>	<u>Applications Received</u>
Major Permit	180
Minor Permit	245
Design Review	239
Subdivision Permit	<u>88</u>
Total	752

According to the Zoning Regulations, Planning Department staff are provided 60 days from the point of application filing, or when a CEQA document is required 60 days from the point of final action, to reach a decision approving or denying an application. If a decision is not reached approving or denying an application after 60 days then the application shall be deemed approved. These time frames are significantly shorter than those allowed by State regulations, which provide up to a year for approval of development projects.

In order to determine actual Department application processing times, a random selection of 50 cases was conducted from applications submitted between May and November 1990. This sample included 10 cases each of major and minor conditional use and variance permit applications and 10 design review applications. Processing times were calculated from the date of application to the date of decision. Any stated time that an application was on hold pending additional information from the applicant was deducted from processing time. This information is presented in the table below.

**Table 6.2**  
**Zoning Permit Application**  
**Processing Times**  
**(Calendar Days)**

<u>Application Type</u>	<u>Average Processing Time</u>	<u>Percentage Less Than 45 days</u>	<u>Percentage Less Than 60 days</u>
Major Use & Variance Permit	47	40%	100%
Minor Use & Variance Permit	56	35%	65%
Design Review Applications	<u>57</u>	<u>40%</u>	<u>60%</u>
Total Average Processing Time	53	38%	78%



As can be seen, on average, the Department is meeting the time requirements as stated in the Zoning Ordinance. However, our analysis notes that of the 50 cases, 11 (22%) did not receive approval within the required 60 days.

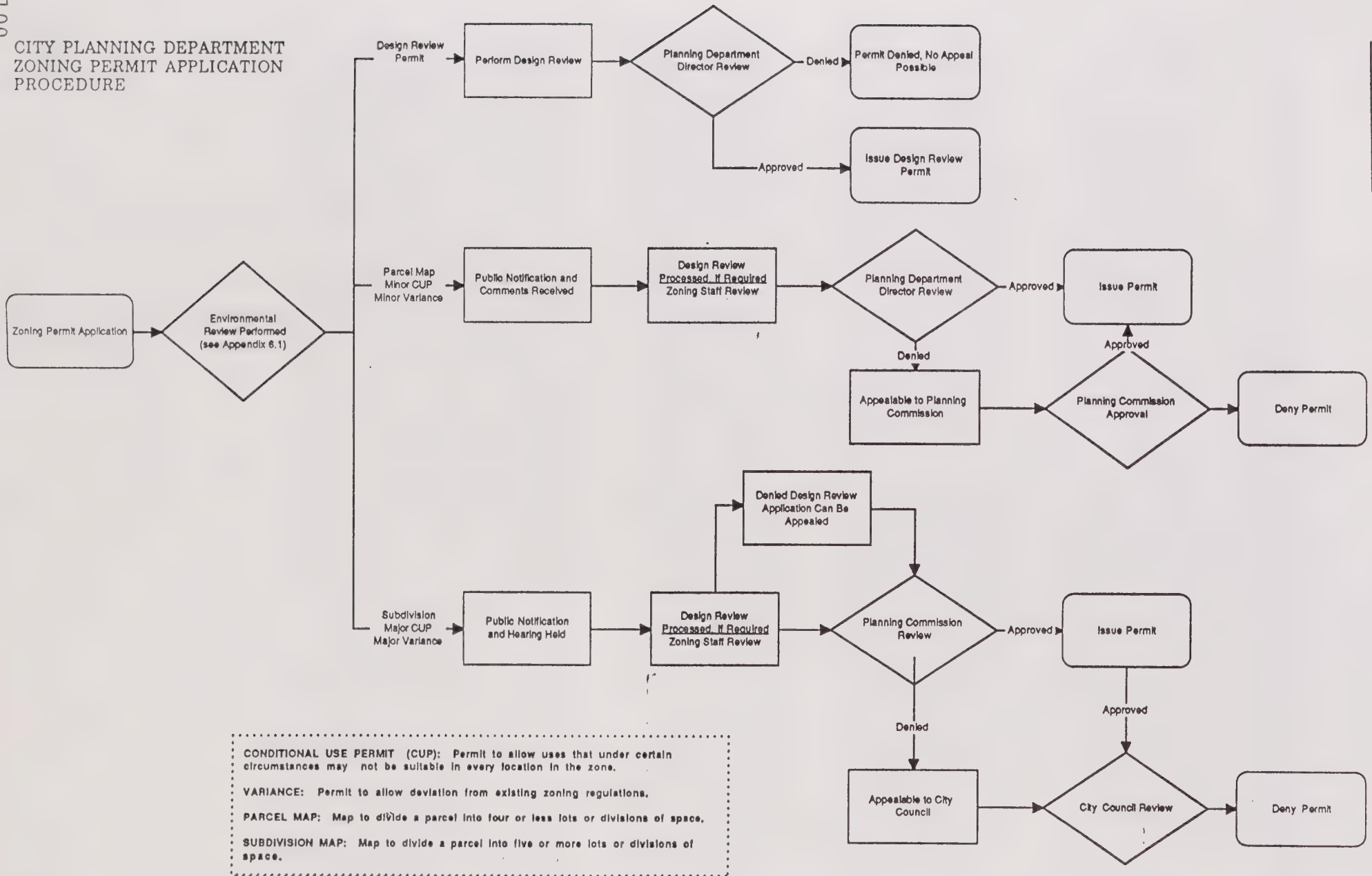
As reported in the Planning Department's performance measures included in the FY 1991-92 proposed budget, the Department has the objective of processing 90 percent of all applications within 45 days and 100 percent within 60 days. This goal was reportedly met for FY 1988-89 and FY 1989-90 and remains the standard for this fiscal year and the upcoming fiscal year. Our analysis indicates that these standards are not being met with 38 percent of all applications are processed within 45 days and that 78 percent are processed within 60 days.

Although the Department is meeting the deadlines as stated in the Zoning Regulations for most permit applications, it is not for a significant minority of cases. Additionally, processing time was not included in the case sample for those applicants who waived their right to have a decision reached within 60 days. Based on case sample review, this waiver often came late in the process, when it becomes apparent a decision is not going to be reached within the required time frame. Several developers stated during interviews that they have been told by Planning Department staff that if they did not sign a waiver, their project would be rejected.

To a certain degree, processing time for major conditional use permits and variances is dictated by Planning Commission requirements for a public hearing and a decision hearing on applications. A flow chart of the zoning permit application process is provided on the following page. These requirements lead to a minimum five to six week (35 to 42 days) processing time frames. As is shown in the table above, average processing time exceeds this required processing time by five to 12 days.

It is unclear why applications for minor permits and design review applications take approximately 20 percent longer than major permits. The design review sample was only ten cases, so this could simply be sample variation. Minor permit applications are processed by an associate planner with junior planner and other planner staff assistance and approved by the Director of City Planning. The associate planner with this responsibility states that minor case processing usually only takes four to five weeks (28 to 35 days) which is significantly less than processing time shown in the case sample. It has been suggested by the associate planner that this discrepancy in processing time exists because application "hold" time is not reflected in the case sample calculations. While all recorded "hold" time was deducted from case sample processing times, it is possible that unrecorded "hold" time occurs that is not noted in the case file.

CITY PLANNING DEPARTMENT  
ZONING PERMIT APPLICATION  
PROCEDURE





Department performance standards and measures have remained unchanged for four years. Although permit applications are usually approved within the 60 day time frame, this still represents a considerable amount of time for applicants - on average seven to eight weeks. Department performance standards need to be set in a meaningful fashion that establish challenging goals for staff to meet. The Planning Department is not currently meeting the performance standard for FY 1990-91 and the standard has not changed for four years. It is recommended that these standards be reviewed on an annual basis and be changed when appropriate to reflect actual staff performance to encourage increased productivity by staff.

The discussion below highlights and makes recommendations on how processing time and customer service could be approved for the zoning permit applications discussed above and other Planning Department activities. These changes include:

- Improving counter operations to increase the productivity of assigned junior planner staff.
- Developing information materials to be used by junior planner staff to better determine application completeness and require applicants be notified within five working days of application completeness.
- Including in the proposed policies and procedures manual provisions for allowing partial administrative processing of environmental review and zoning permit applications where appropriate.
- Providing applicants with the option of concurrent zoning plan check review and design review.

### Counter Operations

Zoning permit applications are accepted at the counter in the Development Services office on the 1st floor of the Smith Building at 421 14th Street. Counter staff accept zoning permit applications, provide general zoning information to the public, verify business tax applications, approve over-the-counter building permit applications, and perform other non-counter related responsibilities.

A review of actual counter operations for this study was not possible because of a fire at the Smith Building which disrupted operations and resulted in the temporary relocation of staff at the Wells Fargo Building. However, a number of observations and recommendations can be made on the basis of interviews with junior planners, supervisors, and other Department staff.

During the fall of 1990 the classification of Planning Department personnel working on the counter was changed from Planning Assistant II to Junior Planner. The change is intended to provide a position with a more professional track, attract candidates with a general background in planning or related fields, and to eliminate turnover which was reportedly common with the previous

classification. Four of the five current counter positions are filled with junior planners who were hired recently and have been with the department approximately six to seven months.

The junior planner positions have been assigned a significant variety of tasks that include a mixture of clerical duties, extensive interaction with the public and planning responsibilities. The junior planners ability to accomplish these tasks is hampered because:

- The Planning Department has no simple public information materials that clearly outline the requirements of the Zoning Regulations and provide basic information on the application process. Information is included on individual application forms but there are no general informational brochures.
- Junior planners operate without a Department policies and procedure manual to reference particular procedures and provide interpretation of specific zoning questions. Because of this, senior staff must be disrupted to provide this information.
- Although many junior planner tasks, such as accepting specific permit applications and approving over-the-counter permits, are tasks for which broad work performance standards could be developed, such standards do not exist.
- At least one of the five junior planners spends the day responding to public telephone inquiries.
- The Department currently has no automated permit tracking system to answer permit status questions raised by the public or any computer support systems to provide basic zoning information or to draw notification maps.
- While junior planners received some training during the first few months of their job, regular training has been discontinued. Management indicates that this training was discontinued due to relocation caused by the fire and has been resumed since moving back to the Smith Building.

There are significant operational impacts on the Department because of the above mentioned problems. Some of these, such as the need for a policy and procedures manual and regular training, are addressed more fully in other sections of this report. The specific net effect on counter operations, as stated by interviewed junior planners, is that junior planners do not have sufficient opportunity to review incoming applications, prepare "summary blurbs" and determine application completeness. Because of this applicants are often requested to provide additional information after their application has been accepted. This delays the processing of applications and negatively affects the Department's ability to provide a high level of public service.



The Department should make the following changes to current operations to provide the junior planners with an opportunity to improve customer service:

- Develop summary public information materials describing zoning requirements and the zoning application procedure and make these materials available at the counter. An example of such materials, obtained from the City of Long Beach, is located in Appendix 6.2;
- Develop a detailed Department policies and procedures manual specifying junior planner counter procedures and Zoning Regulations interpretations (see Section 3 for additional detail);
- Develop broad performance standards for junior planner activities to allow a more comprehensive evaluation of junior planner workload and productivity. Such application processing standards would provide the Department with increased ability to efficiently regulate junior planner workload and perhaps allow the Department to use at least one junior planner to accept incoming applications on an appointment basis, which would improve customer service;
- Consider the purchasing of an automated telephone system that would provide a "menu" of automated options to assist the public (see Section 5 additional detail);
- Purchase a micro computer system that will allow junior planners to retrieve zoning code designations for individual addresses and prepare maps for notification (see Section 5 for additional detail); and,
- Make a commitment to continue junior planner training, which could require limited closure of the counter (see Section 4 for additional detail).

Due to the number of responsibilities currently assigned to junior planner staff, an accurate evaluation of workload could reveal that additional staff is required to allow these staff to perform their duties in a timely and complete fashion. However, the Department has not generated workload information at this time to justify such a need. We recommend that the Planning Department prepare a report for the City Manager by January 1, 1992 detailing what changes have been implemented to increase the efficiency of counter operations, the productivity and workload accomplishments of junior planner staff and whether additional staff are required. This report should be evaluated by the City Manager and if staffing increases are justified, be referred to the City Council for consideration. It is our recommendation that additional staff should not be hired until performance and workload measures are in place and have been evaluated.

### Determination of Application Completeness

State law requires public agencies to specify in detail the information which will be required from an applicant for a development project (Section 65940 of the Government Code) and that this information should be used in order to determine

the completeness of any application submitted for a development project (Section 65941). Section 65943 states that applicants for development projects be notified in writing not later than 30 days after an agency has received a development application. If the written determination is not made within 30 days after the receipt of the application, then the application shall be determined complete.

The Planning Department is not meeting these requirements. While the Department does state on each application form what information may be required for each type of zoning application, it is not complete and not considered useful by junior planner staff at the counter. The Department needs to develop comprehensive checklists that can be used by junior planners that state specifically what information is required for each type of zoning permit. One Department staff member suggested that such checklists could be produced by having each junior planner work with one assistant or associate planner in a cooperative effort.

Based on staff interviews, the Planning Department currently does not notify applicants when their application is determined to be complete. Applicants will be notified if they are missing information but this usually does not occur until after the application has been reviewed by those staff who actually evaluate the permit application. If comprehensive checklists were developed, then junior planner staff would be able to make a more accurate review of each application. After this review is completed, a determination could be made if the application was complete and a notice could be mailed to the applicant stating that the application is complete or specifying what additional information is required. This would insure that not only do applicants receive a timely written notice of the completeness of the application but that when staff receive the applications to prepare their reports they have the necessary information to conduct the review.

Such procedures are already in place for the consideration of design review applications. General application procedures for design review specify what information is required of applicants and states that applicants will be notified within two working days whether the application is complete. Since zoning permit applications are more complex, it is recommended that junior planner staff receive five working days to determine if an application is complete. Once the determination is made a self-addressed postcard could be used to notify the applicant of the status of their application.

State Government Code Section 65944 states that after a public agency accepts an application as complete the agency is not able to subsequently request any additional information to process the application. Both Planning Department and City Attorney staff have suggested that this would limit the Department's ability to request additional information needed to evaluate an application. However, it is also stated in Section 65944 that this limitation only applies to information that is not contained on the developed information list. As long as the list prepared for junior planner staff is comprehensive, any information can be requested from that list, even if it is not requested initially.



## Parallel Processing of Environmental Review and Zoning Permit Applications

Current Planning Department procedures require that an environmental determination be reached prior to a decision being reached on any necessary zoning permits. For most applicants this is not a problem as their project is determined to be categorically exempt at the counter and they can make an immediate application for a zoning permit. For those projects, however, that require more detailed environmental review and receive either a negative declaration, a mitigated negative declaration or have an environmental impact report prepared, a zoning application can not be filed until this determination is made.

While this admittedly impacts a small number of applications each year (about eight percent) this policy has the effect of protracting processing time for these projects because they then must be processed through the entire zoning permit process, which takes on average 53 calendar days. The Zoning Regulations do not specify that zoning applications can not be considered until environmental review is completed but only that a decision must be reached within 60 days of environmental review. However, these two procedures are not conducted in a parallel fashion because the environmental review process provides valuable information on a project and its impacts and because it would be difficult to commence zoning application review prior to the expiration of the environmental review public review period.

However, during interviews with staff it was stated that there were opportunities for partial parallel processing for environmental review and zoning application review and that such a procedure occurs on an occasional basis. The Director of City Planning states that this can usually only occur in circumstances when a project is non-controversial and the likelihood of an appeal is minimal. In such cases, zoning permit processing can begin prior to conclusion of the environmental review process.

We recommend that as part of the proposed policies and procedures manual for Development Controls that procedures be included that state under what circumstances partial parallel processing of environmental review and zoning application review can occur. These opportunities would most likely be from an administrative standpoint and would result in the initial steps of the zoning permit process occurring during the public review period for non-controversial projects or when otherwise appropriate. While it is difficult to assess what affect this could have on application processing times some reduction would likely occur.

## Design Review

The Zoning Regulations contain provisions requiring design review and approval for projects that contain five or more residential units in certain zones or are located in certain Oakland hillside zones (S-10 and S-11). Design review for projects fitting these criteria follows the procedures and time frames for regular zoning permits.

In February 1990 the City Council adopted special interim design review controls that established design review procedures for all projects creating one or more dwelling units. These design review procedures were implemented to promote a more sensitive and site-specific approach to building design in order to achieve the general purpose of the City's Zoning Ordinance.<sup>2</sup> Depending on the scope of the project, review is either through a checklist process or discretionary analysis of project characteristics.

Planning Department procedures to implement the Interim Design Review Program require a pre-application meeting. At this meeting, staff review the conceptual design of the project and make suggestions for improvement. If the design is of sufficient quality and no changes need to be made, the applicant may then submit the application. If changes are required, the applicant then makes such changes, returns the drawings, and submits a formal application. Planning Department procedures state that each applicant will be notified of application completeness within two working days of submitting their application and will be informed of the decision within 15 working days of submitting a completed application.

Currently, interim design review applications are being processed by two contractors hired by the Planning Department. These two contractors arrange pre-application conferences, process applications and perform other duties for the Planning Department. A small sample of 1991 design review applications were reviewed to determine processing time. It was found that from the time of formal application to the date of the decision letter, approximately seven calendar days elapsed. All decisions were made within the Department time frame of 15 working days.

It should be noted, however, that the time needed for interim design staff to reach a decision was only 2.5 days and the remaining 4.5 days of processing was for department review and clerical preparation of the notification letter. Department staff state that procedures were recently adopted to provide for the review of design review decisions by both the Associate Planner, who has responsibility for minor cases and the Manager of the Development Controls Unit and that this has led to additional increases in processing time for recent cases. We believe that this double review is excessive and unnecessary. It is our recommendation that this review be limited to the Associate Planner and that letter of approvals be sent immediately upon her review of the design review decision. This will likely eliminate some processing time and insure that approvals are sent to applicants in an expedited fashion.

Recently, the City Council adopted an ordinance that would extend the interim design review to all additions and alterations that constitute an extensive change to the existing building and its immediate environment. The Planning Department estimates that this will increase the design review workload four

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<sup>2</sup> Special Residential Design Review Checklist Standards and Discretionary Criteria, adopted by the City Council, May 21, 1991



hundred percent. To handle this workload the Department proposed to hire four staff. The new design review procedures will be implemented in October 1991.

### Zoning Plan Check

Design review and plan check by Planning Department staff are required of all new construction regardless of whether a zoning permit is needed. Department staff review the plans submitted for building permits to determine whether or not the project meets the requirements of the Zoning Ordinance. For smaller projects, these approvals are processed over-the-counter by junior planner staff. For more complex projects, the project plans are routed to the Department for review by Development Controls staff.

Planning Department plan check review includes a review of the submitted building plans, a determination that required conditions of project approval have been met and an evaluation to make sure that no zoning permits are necessary. If changes to the plans are needed or if conditions of approval have not been met, the client will be notified and the plans placed on "hold" until the necessary corrective action is taken. If it is determined that the project needs a zoning permit and must be redesigned, Development Services is notified and the client receives a refund of the fees they have paid. Based on the case sample selected from the Permit Tracking System (PTS) processing time for plan check review was 17 days plus three days routing time for a total of 20 days.

For those new construction projects which do not need separate zoning permits or design review, clients must obtain interim design review approval before making application for a building permit. After clients have received this approval they can apply for their building permit. This application is then processed by Development Services permit technician staff and after the application is accepted and outside energy check approval is obtained, the application is sent back to the Planning Department for zoning plan check review.

There is a difference between the design review procedure and the plan check procedure that has resulted in these two processes being separate. Design review approval is based on an evaluation of the appearance of the proposed building and its relationship to neighboring properties. Detailed construction drawings are not required at this phase and the client would typically not have gone to the expense of preparing these drawings. For the plan check review, Planning Department staff is reviewing the actual construction documents to determine compliance with the Zoning Regulations. Builders or developers would typically not submit detailed construction drawings at the design review phase because it would be costly to make extensive changes to construction plans if such changes become necessary after design review.

Developers and builders contacted as part of this study expressed frustration with the current procedure and felt that it was inefficient to have their building application essentially routed from the Planning Department for design review and then back to the Planning Department for plan check approval. It is recommended that the Department implement procedures that at a client's option

design review and plan check approval be done concurrently. If at the mandatory pre-application conference, the project sponsor feels satisfied that the project is going to receive design review approval, the sponsor should have the option to generate construction drawings and submit them with the formal design review application. The Department would have an obligation to insure that staff is providing information specifying detailed requirements at the pre-application conference. However, the sponsor would clearly have to recognize that the construction documents are being drawn at their own discretion and that if changes are required, such changes would need to be made at applicant expense. This procedure would clearly benefit those clients whose projects are reviewed using the design review checklist because this is a more objective review. For those clients whose projects are subject to discretionary review, this would perhaps be a greater risk, but one which could be chosen if they wish to expedite the permit process.

The Planning Department hired two contract employees to perform the interim design review. Plan check review used to be performed by junior planner staff but this responsibility was reassigned to one assistant planner. This individual is currently on maternity leave and the plan check is being performed by one of the design review contract professionals. Therefore, currently design review and plan check is performed by the same staff. When the new staff is hired to perform the design review for additions and alterations the Department should hire individuals with an architectural background who can perform the design review and the zoning plan check, so both these reviews could be conducted by the same individual.

For those clients who chose to use the recommended change in procedure, up to 20 days could be reduced from the total processing time. This would assume that no additional time would be required for design review staff to perform the plan check review. In practice, the processing time savings would probably be somewhat less.

## Conclusion

The Planning Department processes the vast majority of zoning permits within the Zoning Regulations mandated 60 day time period. However, a significant minority of applications are not processed within the required time frames and the average time required for processing permits averages between seven and eight weeks. The Department should implement a number of changes to increase operating efficiency, allow for parallel processing of some application steps and improve counter services. These changes could reduce processing time for those applicants who choose to have interim design review and zoning plan check review occur concurrently by 20 calendar days.

Additionally, zoning permit application processing times could improve if the recommended improvements to counter operations occur and if the Department achieves greater compliance with State requirements.



## Recommendations with No New Costs

The Director of City Planning should:

- 6.1 Prepare a report for the City Manager by January 1, 1992 detailing what changes have been implemented to increase the efficiency of counter operations, the productivity and workload accomplishments of junior planner staff, and the need for additional counter staff.
- 6.2 Develop comprehensive checklists that can be used by junior planners at the counter to determine what information is required for each type of zoning permit.
- 6.3 Implement procedures to allow junior planners to determine application completeness within five working days.
- 6.4 Develop procedures for the proposed policy and procedures manual that would allow for partial administrative parallel processing for environmental review and zoning permit applications where appropriate
- 6.5 Limit approval of design review applications to the Associate Planner with responsibility for minor cases.
- 6.6 Allow applicants the option to have zoning plan check accomplished at the design review decision stage.
- 6.7 Hire new design review staff with an architectural background that are qualified to conduct both design review and zoning plan check.

The City Council should

- 6.8 Accept and review a report from the Director of City Planning concerning junior planner staff workload and productivity.
- 6.9 Approve the proposal by the Planning Department that additional staff be hired to conduct environmental review and that these staff be funded by increased and new fees.

## Costs and Benefits

The City Planning Department has included as part of its FY 1991-92 budget request a proposal to fund three positions to conduct environmental review. These positions would be fully-covered by new and increased fees and would result in no new City expenditures. These positions would increase the Department's ability to effectively process environmental impact reports and other zoning permit applications. The recommendations regarding changes in Planning Department operations and procedures would result in increased operational efficiency and reduced application processing time and can be implemented without additional cost.

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## SECTION 7: BUILDING PERMIT PROCESS

THE BUILDING PERMIT PROCESS IN THE CITY OF OAKLAND IS UNNECESSARILY TIME CONSUMING AND FOR NEW CONSTRUCTION PROJECTS TAKES ON AVERAGE 119 DAYS. BY PROVIDING APPLICANTS WITH THE OPTION TO HAVE ZONING PLAN REVIEW APPROVAL AT THE DESIGN REVIEW STAGE, INCORPORATING FIRE MARSHAL REVIEW INTO DEVELOPMENT SERVICES PLAN CHECK, AND MAKING CHANGES TO THE PLAN CHECK PROCEDURE, THIS PROCESSING TIME WOULD BE REDUCED SIGNIFICANTLY. THESE CHANGES WOULD INCREASE THE EFFICIENCY OF OAKLAND'S BUILDING PERMIT PROCESS AND RESULT IN A HIGHER DEGREE OF CUSTOMER SERVICE SATISFACTION.

The Office of Public Works has primary responsibility to insure that public safety is considered in the design and construction of buildings, streets, sewers and storm drain systems in the City of Oakland. This responsibility is met by requiring property owners and developers to obtain construction permits prior to the start of any construction project.<sup>1</sup>

The Development Services Department of the Office of Public Works coordinates the construction permit process within the Office of Public Works. Development Services (DS) staff accept permit applications from the public, route applications to other City departments for necessary approvals, and evaluate plans for conformity to City regulations and the Uniform Building Code.

Depending on the type of project that an individual wants to construct the types of permits that are required vary. For small projects, such as fences under six feet in height, no building permits are necessary. For large projects an applicant must obtain a building permit and may need to obtain grading or encroachment permits. Throughout this report distinctions will be made when different procedures apply for different types of projects. However, the focus will be on the permit process for new construction and, more specifically, a new single family dwelling that does not require special zoning approval.<sup>2</sup>

### Permit Process Procedure

Building permit approval in the City of Oakland is primarily a sequential rather than parallel process. This requires that one department approval stage be completed before the permit is routed to the next department for review. However, within the Development Services Department review of applicant plans has been consolidated from a number of separate processing steps into one step. Building permit applications used to require site plan, parking and engineering permit

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<sup>1</sup> Draft Development Services Policy and Procedures Manual.

<sup>2</sup> New construction in the Oakland hillside areas is subject to lengthier zoning permit procedures.

reviews separate from plan check review; these steps have all been consolidated into the plan check review.

There are four primary routes for an application, although this number can vary with the project scope. These four routes are described in the table below.

**Table 7.1**  
**Permit Procedure for Selected**  
**Construction Types**

<u>Type of Project</u>	<u>Project Example</u>	<u>Permit Procedure</u>
Electrical, plumbing or mechanical work	Rewiring an electrical system	Can usually be issued over-the-counter
Minor additions/alterations, tenant improvements	Remodel of kitchen	All department usually obtained over-counter
Major addition/alterations complexity, approvals field	Addition of a new story to an existing residence	Depending on some department over-the-counter, DS and plan check review processed internally.
New construction internally departments	New single family residence	Accepted at DS counter and processed by all involved

By simple workload, the majority of permits processed by Development Services are processed over the counter or are processed internally for DS field and plan check review only. For example, for the period June 1990 through February 1991 there were 305 new construction applications, 1,316 minor additions and alterations processed internally by DS field and plan check staff and 1,154 minor additions and alterations issued over the counter. For Development Services processing only (not including other needed department approvals), new construction applications took approximately 75 days to process, minor additions and alterations 18 days to process, and the over-the-counter permits were issued in one day. As can be seen, a significant number of less complex permits are issued by Development Services in an efficient and timely manner.



These permit processing time frames (and those discussed below for the case sample) are based on an analysis of data generated by the PTS system. This data is considered unreliable by Department staff because it does not accurately reflect processing time for which staff is awaiting information from the applicant. The Department has recognized this problem and is attempting to resolve it so that PTS data will be reliable and accurate. However, because the Department could provide no other data indicative of permit processing time frames, PTS data was used in the analysis conducted for this report.

New construction permit applications which are accepted at the Development Services counter and routed to various departments for approval take a significantly longer amount of time to process. Part of the reason for this is because these projects are more complex, requiring a greater degree of scrutiny, and more extensive approvals. A summary of this process is shown in the new construction functional permit process flowchart located on page 115.

In order to assess the time it takes to process building permits for new construction, a small sample of cases was chosen from the Development Services Permit Tracking System (PTS). The PTS system records the length of time each stage of the application consumes and allows Development Services staff to determine which department is processing an application at a given moment in time. The case sample was chosen from building permit applications that had been applied for and issued primarily between June and December 1990 and reflect processing times that existed during that time period. Because this was not a statistically significant sample, where possible PTS records were validated by conducting subsidiary samples. For new construction, and a separate subsample of new single family dwellings, average permit processing times are listed in the table below.

**Table 7.2**  
**New Construction and Single Family Dwelling**  
**Permit Steps and Processing Times**

<b>Processing</b>	<b>Dept/Division</b>	<b>New Construction</b>	<b>New SFD</b>
<b><u>Application Step</u></b>	<b><u>w/Processing</u></b>	<b><u># of Days Processing</u></b>	<b><u># of Days</u></b>
	<b><u>Responsibility</u></b>	<b><u>/Approval</u></b>	<b><u>/Approval</u></b>
Inter. Zoning Design Review	Planning	7*	7*
Outside Energy Check	DS/Outside Firm	14	15
Counter Application	DS Permit Process Unit	1	1
Zoning Plan Check	Planning	17	24
Fire Department Review	Fire	16	14
Plan Routing**	DS Permit Process Unit	7	7
DS Site & Plan Check	DS Plan Check Unit	54***	60***
DS Final Check	DS Permit Process Unit	2	2
DS Counter Issue	DS Permit Process Unit	<u>1</u>	<u>1</u>
<b>Total</b>		<b>119 days</b>	<b>131 days</b>

\* Assumes interim design review applies and not a more extensive design review required for certain Oakland hill zones. Measures time from application to approval, not from time of pre-application conference.

\*\* Total time for plan routing between Development Services Department, Planning Department and Fire Department.

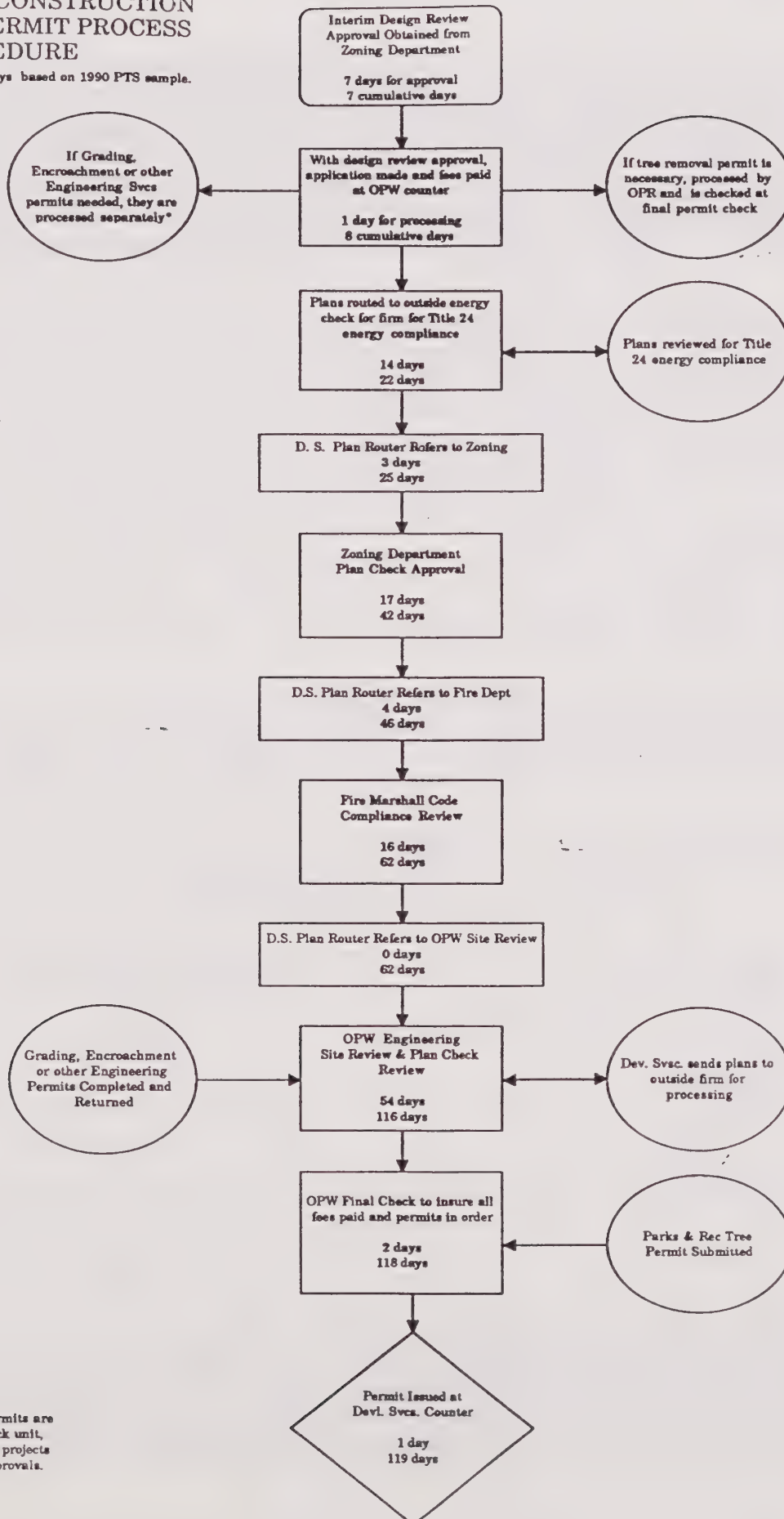
\*\*\* A review of records provided by the Department indicates that since site plan and plan check functions were combined on January 1, 1991 that processing time has been reduced to 38 days.

In a 1987 the Harvey M. Rose Accountancy Corporation study done for the City of Oakland showed that the average permit processing time for new construction was approximately 81 days. The permit process in 1991 for new construction (119 days) is approximately 47 percent longer than in 1987. In 1987, the PTS system was not in operation and a number of steps now performed within the Plan Check Unit of Development Services were performed by other OPW departments. However, the comparison shows that in 1987, it took 68 days for DS site, plan and final check processing and in 1991 it takes 56 days, a decrease of 22 percent.



# CURRENT NEW CONSTRUCTION FUNCTIONAL PERMIT PROCESS PROCEDURE

Processing times in calendar days based on 1990 PTS sample.



\* Most engineering permits are reviewed by plan check unit, only those for complex projects require separate approvals.

The increase in new construction permit processing times can be partially attributed to three factors: 1) approval by the Fire Marshall, which is a separate routing step, requires 15 days and our 1987 analysis showed it only took one day; 2) the City Council passed legislation in 1988 that requires that all new construction be subject to design review, increasing application processing time; and 3) energy check of building plans is currently being conducted by outside firms (although this will be eliminated July 1, 1991) which requires 14 days to the process and was not included in our 1987 analysis.

It should be noted that the length of time for review of permit applications by staff consumes a small percentage of total processing times. Based on staff interviews, it was determined that each processing step usually takes less than two full work days to perform. Applications spend the vast majority of time waiting to be assigned to staff for review or waiting for applicants to provide additional information. Staff must respond to significant levels of public inquiry, increasing the total review period. Additionally, applications are generally reviewed in the order received at each stage. As applications move from sequential step to sequential step, they "queue" at each stage before they are processed by staff.

### Comparisons with Other Jurisdictions

As part of this report, other comparable jurisdictions were surveyed and asked to include data on the length of permit processing for obtaining building permits. A summary of reported building permit processing times for all respondents providing detailed responses is included in the table below.

**Table 7.3**  
**New Residential Construction Processing Times in Calendar Days**  
**from Survey of Comparative Jurisdictions\***

<u>Jurisdiction</u>	<u>New Construction Total Processing Time</u>
Alameda County	30
Anaheim	30
Fresno	25
Glendale	89
Long Beach	75
Sacramento	14
Santa Ana	<u>21</u>
Average	40 days

\*Making comparisons with the processing times of other jurisdictions is difficult because of different staffing levels, workload, and City policy towards development and construction. Additionally, reported processing times were not independently validated and represent estimates which assumably attempt to place the jurisdiction in a favorable light.



Oakland's permit process for new construction (119 days) is approximately three times as long as the average of the seven other jurisdictions responding to the survey. In follow-up conversations with City officials it was revealed that other jurisdictions utilize parallel processing to a much greater extent than Oakland. Parallel processing has the advantage of reducing total processing time for those tasks that can be accomplished in such a fashion. Oakland also has more separate approval steps than most other jurisdictions surveyed.

As part of the survey, Development Services staff were asked to complete the survey to allow the Department to present information and data on operations in a similar fashion to surveyed jurisdictions. For the table requesting information on building permit processing times, no data was provided and we were referred to data contained on the Permit Tracking System. Therefore, the processing time of 119 days, which was taken from a sample of PTS cases, is the only estimate provided for building permit processing times.

The discussion below will elaborate on the different steps included in the permit process procedure and focus on opportunities to eliminate, consolidate or parallel process specific steps. Specifically, the new construction building permit process could be decreased if:

- The Title 24 energy check function, currently being performed by outside consulting firms, be performed by Development Services Plan Check staff. This is currently scheduled to occur after July 15, 1991 and we agree that this review should be bought in-house.
- Applicants should be given the option to file a tree removal permit application at the design review stage.
- The review of building plans being conducted by the Fire Department should be transferred from the Fire Department to the Development Services Department. Fire safety consideration and evaluation of plans would then occur at the plan check stage of the permit process.
- Applicants should be given the option to have zoning plan check occur at the time of interim design review, instead of the current process of requiring a separate review.
- Changes and improvements to the plan check function need to be made to reduce the time needed for this processing step.

### Counter Operations

Building and other permit applications are accepted at the permit counter service area located on the 2nd floor of the Smith Building. Permit technicians are assigned to different stations within this area to assist the public and each station has a specific responsibility. These include new construction, additions/alteration, public information and ready-to-issue permits. Counter staff

provide public information, accept applications, calculate fees and determine what permits are necessary for a given project (i.e. building, tree removal permit, grading etc.) The performance standard for each stations is that the public should be served within 15 minutes of signing-in to each station. A review of Development Services records reveals that this is occurring over 90 percent of the time and most customers are served in a shorter period of time.

A review of actual counter operations for this study was not possible because of a fire at the Smith Building at 1330 Broadway which disrupted operations and resulted in the adoption of temporary procedures during the relocation at the Wells Fargo Building. However, a number of observations and recommendations can be made through the basis of interviews with permit technicians and supervisors.

In interviews with permit technicians it was stated by some staff that the current system of specifying service stations is not always efficient. Because the workload varies throughout the time of day and the public's need for each service varies, some counters can be busy throughout the day while others have few customers. Permit technician staff state that there is not always a smooth switching of counters to assure an equal workload for staff. This was not verified because actual counter operations were not observed. While the concept of designating specific service counters is appropriate to insure that the public receives the assistance they specifically require (such as general information vs. a new construction application), supervisors should be able to "switch counters over" to guarantee equal workloads between all staff. The Permit Processing Supervisor has acknowledged that this problem has occurred and when the counter space at the Smith Building is reoccupied intends to consolidate counter locations to insure that workload remains comparable and that counters are "switched" as necessary.

There have been a number of claims by members of the public, Development Services staff, and staff from other departments, that Permit Technicians do not always correctly determine what permits are necessary for a specific project, make correct referrals to other departments or calculate the correct permit application fees. This is a matter of training and the relative new status of a number of the permit technicians. The issue of training is discussed more fully in Section 4 of this report, but it should be noted that as the staff with the most interaction with the public and the responsibility for making the initial determination of what permits are necessary, permit technicians should receive regular training to increase their knowledge of the building permit process.

In our 1987 report we commended the OPW for its intention to replace housing inspectors with permit technicians at the counter to intake applications and interact with the public. This change occurred in 1988 and there are currently seven permit technicians utilized at the counter. Although all current incumbents are classified as Permit Technician I, a job description has been developed for a Permit Technician II position which would have increased responsibilities.



The Development Services Department should implement the proposed Permit Technician II classification to allow for a greater variety in the job tasks currently performed by the permit technicians. As stated in the Permit Technician I job description the position is an "entry level classification whose incumbents perform routine clerical tasks issuing and review permit applications". Yet in interviews, several of the permit technicians expressed their frustration in performing time-consuming clerical task such as microfiche retrieval and stored document retrieval. Permit technicians also stated that they could handle some tasks with increased responsibility, such as the preliminary plot plan review checklist for applications that is currently performed by an engineer.

If the Permit Technician II classification were initiated, than a more specific delineation between the tasks performed by permit technicians would be possible. Permit Technician I positions would clearly have responsibility for associated clerical tasks while the Permit Technician II positions would assume some responsibilities that currently are performed by engineers, providing the engineers additional time to perform the plan check function. The Permit Processing Supervisor stated that the addition of the Permit Technician II classification is being studied and that he is in favor of its implementation.

### Plan Routing

Development Services Department staff have the responsibility to route all applications to the appropriate department for necessary approvals. This responsibility is primarily for those applications that require intake and lengthy processing. For those that can be processed over the counter, the applicant hand carries the application to the appropriate department for approval. In those cases, Development Services staff only has responsibility for routing the plans to the Plan Check Unit for approval and then assembling the final permit at the counter for the applicant to pick-up.

Plan routing for new construction, which is processed internally, begins at the permit counter. After the applicant has previously received Planning Department interim design review approval and had plans checked for energy compliance by an outside firm, the plans are routed for approval. Almost exclusively plans are routed first to the Planning Department for zoning plan check approval and then to the Fire Marshall for compliance with fire safety regulations. After each of these two steps, the plans are routed back to Development Services prior to being routed to the next step (see flow chart on page 115).

As stated earlier, the permit technicians at the counter also determine what other permits are required for a project. If trees are to be removed, then a tree removal permit is required from the Office of Recreation and Parks (additional detail provided below) Engineering permits such as grading or encroachment on public land require separate approval. For most simple projects these permits are processed by the plan check staff and for complex projects they are handled by a separate Engineering Services Section in Development Services.

The building plans are routed by one senior building inspector who has responsibility to insure timely routing of completed plans and that routing information is recorded in PTS. Our analysis attempted to determine what discrepancies, if any, existed between the PTS record and the records maintained by both the Planning Department and the Fire Marshall. The records of these departments are not automated and are kept in logs that record the day the plans were received and completed.

As was noted in the table above, there is a discrepancy between the PTS record and the logs kept by the Planning Department and the Fire Marshall. The PTS records indicate that zoning approval takes on average three days longer than Planning Department records show and that Fire Marshall approval takes on average four days longer than those records show.

It cannot be determined if this total of seven calendar days actually represents time that plans are sitting and not being processed or represent lapses in time recorded on the PTS system. It is likely a mixture of both. When the Planning Department and the Fire Marshall are finished with the plans they place them in boxes for pick-up by the DS plan router who retrieves the plans and routes them to the next approval step. The pick-up certainly does not occur the moment the plans are ready and processing time does elapse before the plans are retrieved. The recording of the PTS log date will also not necessarily occur the moment the plans are actually retrieved by the plan router even though the plans have been received at the next routing station. This would account for some of the estimated accumulated time. The net effect, however, at least as measured by the PTS system is that a full week is not accounted for in the processing of plans.

### **Tree Removal Permit Processing**

A tree removal permit is required for all construction or grading projects which will intrude upon the protected perimeter of certain indigenous and introduced trees. Applications for a tree removal permit are filed with DS counter staff at the time that the application for a building permit is submitted, and referred on a daily basis to the Office of Parks and Recreation for review of the permit and the site plan, and an inspection of the premises for plan accuracy. Tree removal permits are not filed for new construction unless the applicant indicates that a tree which is protected under the City's Tree Preservation Ordinance is to be removed or otherwise affected by construction.

A review of OPR records indicates that tree removal permit inspections are consistently performed and a determination made by the arborist regarding removal within the five working day period required by the ordinance. However, the period of tree removal permit application processing is extended significantly by the requirement that final approval be held until the expiration of a mandatory appeal period.

The Tree Preservation Ordinance establishes a minimum 25 working day period for processing a tree removal permit and filing an appeal of the decision by the Office of Parks and Recreation. If an appeal is filed by the applicant or



adjacent property owners, this period can be extended as long as 38 working days through the appeal hearing conducted before the City Council. Therefore, this ordinance requires that tree removal permit processing time extend for a minimum of 33 calendar days to a maximum of 45 calendar days, and potentially longer if holidays fall within the processing period.

This appeal waiting period can affect the timely processing of applications for minor additions and alterations (such as deck construction), which only take an average of approximately 18 calendar days to process through Development Services. However, the incidence of delays due to the tree removal permit process on these types of construction projects is reportedly low, and no evidence of such delays were identified in our review of OPR records.

For new construction on undeveloped property, or for major additions or alterations on existing buildings, the impact of the tree removal permit processing time appears less significant. For instance, since the total permit processing time from application through final approval for new construction takes an average of 112 days (measured from point of permit application, after design review approval has been previously obtained), the tree removal permit process is typically completed before other permits have been issued.

However, because the location of trees affect the site plan (and thus the location of the building, utility connections, parking, sidewalks, grading, etc.), a denial on appeal 45 days after the specific plans and drawings have been submitted can significantly increase costs for the builder. In these instances, plans may need to be re-drawn and costly unanticipated modifications to the building structure may be necessary, requiring significant delays in the project timetable as design and permit requirements change.

In addition, the arborist inspectors in OPR indicate that it is not unusual for tree information to be incomplete or inaccurate on builder drawings with the current process. Although the requirements of the Tree Preservation Ordinance are discussed at the pre-application design conference with the builder if it is apparent that trees may be affected by construction, builders are not provided with detailed information regarding the City's tree preservation requirements.

Builders whose projects are clearly affected by the presence of trees are advised to contact OPR for information regarding the tree removal permit process. Those who have not indicated that trees may be affected are not necessarily advised of these requirements. This inconsistency, as well as the lack of detailed information regarding City tree preservation requirements, can lead to difficulties with enforcement.

By the time the applicant has applied for construction permits, plans have been completed but may not contain sufficient information for review of the tree removal permit application by OPR. In some instances, the project may need to be altered and drawings re-submitted, resulting in an increased cost to the builder and a potential delay in the project.

The requirements of the City regarding the preservation of trees should be thoroughly reviewed with the applicant at the pre-application design review stage whether or not it is apparent that trees will be affected, and comprehensive informational material should be provided to the applicant to insure that City requirements are thoroughly understood during the design phase of the construction project.

The City has established a Working Group of City Councilmembers, staff, citizens, and builders to evaluate the Tree Preservation Ordinance and recommend changes which would lessen the potential impact of the tree removal permit process on builders while preserving the integrity of the Ordinance's intent. One suggestion being considered by the Group is to move the tree removal permit process up to the pre-application design conference stage of the construction permit application process so that decisions regarding tree removals can be established earlier in the overall permit process period.

We believe that moving the tree removal permit application to an earlier point in the construction permit process is appropriate, and would significantly reduce the potential impact of the ordinance on builders. However, by moving the tree removal permit application point to the pre-application design conference, the following problem would occur:

- At the pre-application design conference, conceptual projects are discussed and the precise location of structures and the grading plan are typically not known. In addition, the parcel has typically not been surveyed to determine the precise location and types of trees in the construction area. Without such detailed information, the builder and OPR would have a difficult time determining which trees would be impacted and thus, would not be capable of performing adequate tree removal permit review or notification to adjacent property owners.

Until the design review stage of the building permit process has been completed, the building footprint may change significantly. Even small changes in the dimensions or location of a building, parking, or utilities may impact the viability of trees on the parcel.

As with the recommendations to move zoning review to the design review stage of the permit review process (at the request of the builder), it would be appropriate to provide the builder with the option of filing a tree removal permit application at the design review stage. Therefore, the Tree Preservation Ordinance should be modified to reflect this procedural change. Additionally, the Ordinance should also require that the permit be denied if the configuration of the project should change significantly, or the surveyed tree plan is incomplete or inaccurate. If denied, a new permit application should be required and the tree removal permit process and time frame should be re-initiated.

These procedural and ordinance changes would accomplish three objectives:



- 1) The builder would be provided with the information necessary to prepare adequate tree removal drawings early in the design and construction permit processes;
- 2) The builder would be provided with the option to initiate and complete the tree removal permit process earlier in the project review period; and,
- 3) The builder would be provided with an incentive to prepare complete and accurate tree removal plans for consideration by the City.

Additional findings and recommendations regarding the tree removal permit process are included in Section 9.

### Fire Prevention Plan Review

The Fire Department presently reviews all building plans for compliance with fire-safety related City ordinances and the Uniform Fire Code. Plans for *minor* additions and alterations, and most *major* additions and alterations, are approved at the counter and signed-off by the Fire Department upon application. Other major additions and alterations, and all new construction permits and plans, receive a more thorough review by the Fire Department.

The Fire Department plan review workload has historically been conducted by one full-time Fire Prevention Engineer, who is a specialist with a degree in Fire Protection Engineering or a related engineering degree. In addition, Fire Inspectors and light-duty firefighters provide relief and assistance when necessary due to backlogs. Presently, the Fire Department is in the process of hiring a second Fire Prevention Engineer who also will be assigned full-time to the plan review function.

Based on analysis conducted as part of this study, plans which require detailed review by the Fire Protection Engineer currently consume approximately 16 average days of processing time. This time can be longer or shorter, depending upon the point in the construction season during which the plans are being reviewed (workload) and the work schedule of the Fire Prevention Engineer. Based on interviews with Fire Department supervisors and the incumbent in this position, most of this elapsed time is due to the demands of the phone and 'in-person' public inquiries or requests for service, pre-application advisory meetings at which the Fire Prevention Engineer is requested to attend, and counter plan approval workload. These activities have contributed in a backlog of plans which are reviewed in the order received.

During the study, numerous concerns were expressed regarding the perceived lack of plan check services being provided by the Fire Department. Several builders complained that plan checking by the Fire Department was unnecessarily cumbersome and that delays were extreme due to excessive plan check activities by the Department. In some instances, the ability of the Fire Department to effectively manage the person(s) assigned to the plan review function was questioned.

Although the workload of a single Fire Prevention Engineer appears high, certain changes could be implemented which would increase productivity of the person(s) assigned to the Fire Department plan review function.

- The Fire Department has not established formal policies and procedures regarding the plan review process, nor has it established performance standards, or mechanisms for measuring the work activities of the staff assigned to the plan check function.
- Due to management vacancies in the Fire Department, the Fire Prevention Engineer is supervised by Fire Inspectors who are assigned to the supervisory function on a rotating basis.

The lack of formal policies and procedures, work standards, and performance measurements, as well as a lack of consistent supervision, results in an insufficient understanding by Department management of plan check staff workload, work management techniques, or performance. By providing the tools for effectively supervising this function, productivity increases may be realized.

Additionally, a review of the plan check activities performed by the Fire Department indicates that many engineering checks by the Fire Prevention Engineer are duplicative of work performed by staff from Development Controls and Development Services. Appendix 7.1 is a copy of a "Check List for Plan Review" which is used by the Fire Prevention Engineer for "R3: Houses, Up to Two Families". A review of this check list and discussions with Development Services staff indicates that several of these listed conditions are checked by building inspector plan checkers and engineers, independent of the Fire Department. These conditions include:

- Road access
- Building height and access
- Building exits
- Exterior and interior wall materials
- Roofing materials
- Smoke detector location and wiring
- Property line set-backs
- Distance from adjacent buildings

Based on discussions with Fire Department and Development Services staff, and with representatives of other jurisdictions, these types of plan conditions are often reviewed in other cities by building department personnel without direct Fire Department involvement. By transferring the two Fire Prevention Engineer positions into the Development Services Department, permit processing time could be decreased by the 16 days now consumed by the Fire Department through the ability to provide increased supervision, the elimination of duplicative processing steps, and better coordination of plan processing. However, in implementing this transfer, the following procedural changes should occur:



- A process should be established to insure that the Fire Prevention Engineers work closely with the Fire Department to establish plan review standards for fire safety.
- Development Services building, electrical and plumbing/mechanical plan checkers and engineers should check plans for compliance with the Uniform Fire Code, and make sure that such plans always meet or exceed Uniform Fire Code standards when such standards conflict with the Uniform Building Code, National Electrical Code, or other applicable construction codes.
- Fire Prevention Engineers should continue to directly review all plans which require sprinkler and extinguisher systems, fire hydrants, special pumping devices, hazardous materials storage, or other systems and devices of a highly technical nature.

It is important that the Fire Department have the capability to insure that fire safety conditions for new construction be appropriately addressed by builders. Therefore, it is particularly important that the Fire Department work closely with Development Services engineers for the development of fire safety standards within the City. Additionally, Fire Department Fire Inspectors, who inspect all construction in the City prior to a certificate of occupancy being issued, should closely monitor the performance of plan checkers to insure that appropriate standards are being enforced at the plan review stage.

### **Combination Design Review and Zoning Plan Check Approval**

It is recommended in Section 6 of this report that applicants be given the option to have the zoning plan review occur at the stage in which design review occurs. This would require applicants to prepare construction drawings based on discussions with planning staff at the pre-application meeting for design review approval. Applicants would have to realize that there would be a certain risk that additional changes would need to be made and Planning Department staff would have to make sure to clearly and accurately state the requirements for applicants based on pre-application conferences. For those applicants who choose to use this procedure, 17 days of processing plus the three days of estimated routing time would be saved. This would reduce overall processing time by 17 percent. One affect, however, could be that the design review procedure would take longer than the current seven days from application to approval

### **Plan Check and Plot Plan Process**

The final steps in the permit process is review by the Development Services plan check unit, which includes plan check engineers who review the plot and site plan of the project as well as the structural plan for conformity with the Uniform Building Code. As noted above, the Department has consolidated a number of separate processing steps into the plan check review to decrease processing time, increase operational efficiency and improve customer service.

This consolidation has included site plan review, review of project parking requirements, and required engineering permits. Additionally, the Title 24 energy check will be performed by plan check staff as of July 15, 1991.

Based on our sample, the plan check process currently consumes 54 of the 119 days of the processing time for new construction projects - slightly less than half the time required for application approval. A review of PTS records for the period June through November 1990 indicates the site plan and plan check process is taking 59 days. Department reports state that for the first six months of Fiscal Year 1990-91 that 75 percent of all new construction plans are processed within 20 days but our analysis indicates that the percentage processed within 20 days is 44 percent.

There are a number of factors contributing to the extensive time required to review new construction plans. These include:

- The Plan Check Division has experienced vacancies, extended staff illness, and has had to assign engineers to participate in a seismic safety program since the time of the earthquake. Currently 1.5 staff FTE of 6 filled FTE (8 authorized FTE in the Plan Check Unit) in the unit are assigned to the seismic safety program. Additionally, one Permit Processing Unit position has been temporarily assigned to the Plan Check Unit to assist with non-structural plan check.
- Staff spends considerable time responding to public inquiries and providing consulting services to applicants. One engineer each day is assigned to provide assistance at the counter by answering public inquiries, approving over-the-counter permits and reviewing preliminary plot plans. Each interviewed plan check engineer also states they answer numerous public inquiries during the day and provide extensive consultation services for the public.
- There are no guidelines for plan check performance, plans are not reviewed on a regular basis for quality and plan check engineers are not accountable for the length of processing time for their workload.

In order to alleviate the plan check backlog the Department has implemented a number of procedures. Applicants now have a number of options for the processing of their plans. When advised of current backlogs, the applicant has the option of having their plans checked by an outside firm. The applicant is provided with a list of firms approved by the City and is responsible for bringing the plans to the firm, negotiating a fee and assuring that the firm returns the plans in a sealed container back to the City. Permit Technician staff indicate that only approximately five percent of all applicants use this option and that the percentage for new construction applicants is much less than even that.

The applicant also has the option of having Plan Check staff perform the plan review on an expedited, overtime basis. This work is primarily performed by a single engineer who has worked 723 hours of overtime since January 1991, the



vast majority of it authorized as a result of client agreement to pay expedited permit processing fees. This is an average of slightly over 31 hours of overtime each week. A review of overtime authorization records show that it is not unusual for this staff member to work from 4:30 pm to 11:30 pm four days per week.

Staff overtime, whether or not authorized after client payment of expedited fees, is also used extensively. Through the week of June 7, 1991, Plan Check staff had accumulated 1,186 hours of overtime for an estimated annual rate of 2,681 hours. An analysis of two months records show that approximately 74 percent of the overtime is authorized by clients and the balance is at Department discretion. For the year that would result in 1,984 hours of expedited processing overtime and 643 hours of regular staff overtime.

The third option is for the Department to send the plan check review to outside firms (the site plan review, however, is still done by City staff). Since the beginning of 1991, this has become a more common choice of DS managers as the Department has attempted to reduce processing times. The City will keep approximately 25 percent of the plan check fee and the balance will go to the outside firm. From February to April 1991, approximately 22 percent of all plans that were accepted by the Department for processing (not including those for which the applicant chose to use an outside firm) were referred to an outside firm. These firms receive a mixture of both large and small plans, because they can make little profit on small projects. Since approximately October 1990 through early May 1991 the value of this work was \$76,000.

It is unclear if these various efforts have reduced plan check processing times in recent months. Because of the fire at the Smith Building, no PTS monthly reports on plan check processing time were available after February 1991. Development Services staff is unable to provide any other estimate of current processing times.

There are also questions on how this system of overtime and routing plans to outside firms serves the needs of clients. One staff person has accumulated over 700 hours in less than six months through the expedited processing program. It has been stated by Department managers that this staff person only works on overtime assignments outside regular hours. Yet, a review of workload assignment for the period February through April 1991, shows that this staff person accomplished ten times more work during overtime hours than regular hours. While it is acknowledged that regular hour workload also includes answering public inquiries, serving at the permit counter and other duties, there should not be such a discrepancy in workload. It is not an efficient use of staff resources for one individual to be expected to process such a significant amount of overall unit workload and such a system offers the potential for abuse.

The Department should implement several changes to improve the efficiency of the plan check function. These changes should include:

- The development of formal standards and guidelines to establish time frames for the completion of plan review. There are wide variations

between staff productivity, with the one plan checker who works the authorized overtime accomplishing 80 percent of the workload performed by all other plan check staff during regular operating hours. Currently, staff record the projects they work on during a given day but not the time spent working on that project. This information should be required and used in the development of broad processing standards for the completion of the plan check process. Staff also has the individual responsibility to retrieve projects to complete at their own discretion. In order to assure an equal workload between staff, individual workload should be assigned and monitored by the supervisor.

- Staff interviews indicated the plan check engineers spend considerable time consulting with applicants and helping them prepare their drawings. To a certain degree this is appropriate because the Department wants to insure the quality of work being performed in the community. However, the current level of public interaction is having a significant negative impact on plan check engineer productivity. The Department has been considering charging a fee for consulting services that exceed a minimum level. This should be implemented so that the public can receive some basic assistance but that at a certain point, such as the second or third meeting, the applicant would be charged a fee that would cover staff costs.
- The Department needs to increase the amount of information available to applicants describing the plan check process and providing examples of the information that needs to be presented for quality plans. One plan check engineer extensively uses such materials based on copies he has received from San Jose and other jurisdictions. Respondents to the survey conducted for this study were asked to provide available public information materials. The City of Long Beach sent a detailed manual titled "Help for the Home Builder" which provided general construction information, technical information and structural requirements and is provided at cost to the public. A similar manual should be produced for the City of Oakland. Hopefully, the increased availability of public information materials will partially reduce the public's need for plan check engineer services. Additional detail and recommendations are provided in Section 2.
- The current plan check processing times for new construction remain lengthy and consume almost half the entire application process. The Department should make a firm commitment to process all new construction plans within a stated time frame and insure that the staff is available to meet that goal. The current performance standard of 20 days for new construction is being reached less than 50 percent of the time. Currently, 1.5 FTE of plan check engineer staff are assigned to the seismic safety program. Because of insufficient staff and workload, the Department will have to use an estimated 643 hours of overtime this year. In the past six months, the Department has referred \$76,000 in plan check fees to outside firms to decrease applicant processing time. By assigning plan check staff to the Seismic Safety Unit, authorized overtime (at a additional cost to the client) and outside plan check firms (which represent lost City revenue) are



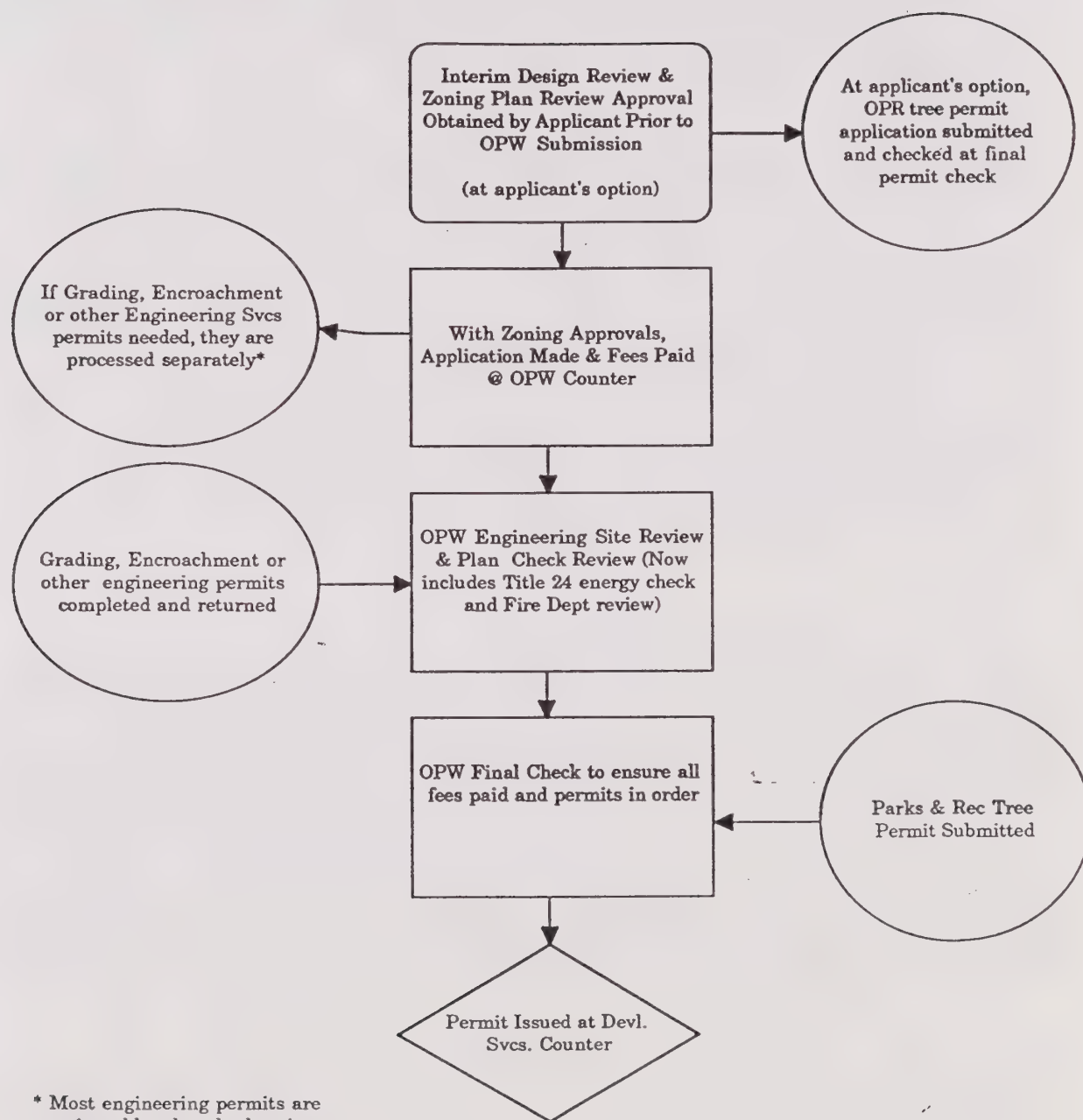
being used to offset this staffing reassignment. If additional staff is needed in the Seismic Safety Unit, than the Department should justify that need and the City Council should approve the positions; but the public should not have to bear the burden of increased costs and processing time because these positions have been reassigned.

The Development Services Department should implement all of these improvements in a timely manner. Systems should be put in place to accurately measure plan check engineer individual and unit productivity, and accurate data on processing times should be kept. The Development Services Department should report to the City Council on January 1, 1992 on the impact of these recommended changes and present productivity and processing time data. At that time, if processing times still remain lengthy even after the committing of full plan check staff, the filling of all authorized positions, and the implementation of other recommendations, the City Manager should consider recommending to the City Council that additional plan check staff be hired to reduce processing times and increase customer service. It is our recommendation that additional staff should not be considered until all authorized plan check staff are dedicated to that function and the recommended improvements contained in this report are implemented and evaluated.

### Conclusion

While the Development Services Department and other City departments process a majority of permits in a timely fashion, those required for new construction require approximately four months for processing. This is three times longer than five comparable California cities. The Department should implement a number of steps to reduce this processing time by eliminating the separate Fire Marshall review for most applications, allow applicants the option of obtaining zoning design review and plan check approval concurrently and instituting reforms in Development Services plan check procedures. A flow chart depicting the proposed functional permit process for new construction is presented on the following page. If these recommendations are implemented new construction permit processing times could be reduced as follows:

PROPOSED NEW CONSTRUCTION  
FUNCTIONAL PERMIT PROCESS  
PROCEDURE



\* Most engineering permits are reviewed by plan check unit, only those for complex projects require separate approvals.



<u>Recommendation</u>	<u>Reduction in Processing Time (in calendar days)</u>
Energy plan check performed by plan check staff, not outside firm	14
Fire Department plan review performed by plan check staff	16
Zoning plan check performed at design review stage	17
Reduction in processing time through elimination of Fire Department and zoning plan check reviews	<u>7</u>
Total potential reduction in processing time	54

These are the current processing times. In order to achieve full reduction in processing times, it is assumed that no additional processing time will result from processing modifications recommended in this report. For example, it is assumed that having engineering plan check staff evaluate fire code compliance, presently performed by the Fire Prevention Engineer, will not result in increased processing time for the plan check engineers.

With the full reduction in processing times, the new construction process could be reduced by as much as 54 days, from 119 days to 65 days. This does not include any estimated reduction in the plan check review function, which would also likely be reduced if the recommended changes above are implemented.

### Recommendations With No New Costs

The Development Services Department Manager should:

- 7.1 Proceed with the planned procedural change of having plan check engineers perform the State Title 24 energy check instead of outside consulting firms.
- 7.2 Develop procedures to insure that all counter permit technician staff are effectively utilized at each of the Development Services permit counter stations.
- 7.3 Develop formal procedures, standards and guidelines for plan check personnel to establish fixed time frames for the completion of application site plan and plan check review.
- 7.4 Direct the Plan Check Unit Supervisor to develop a system that allows for the allocation and tracking of individual plan check engineer workload.

- 7.5 Develop a consulting fee for applicants that require extensive consultation for submitted plans. Such a fee should fully cover all staff costs plus Department indirect costs.
- 7.6 Reassign 1.5 plan check engineers currently assigned to the Seismic Safety Unit to the Plan Check Unit or hire an additional 1.5 FTE staff to replace the lost staff.
- 7.7 Prepare a report for the City Manager by January 1, 1992 that details plan check engineer individual and unit productivity, presents accurate data on plan check processing times and evaluates if additional staff are needed.

The Office of Parks and Recreation should develop recommended modifications to the Tree Preservation Ordinance which would:

- 7.8 Provide the builder with the option of filing a tree removal permit application at the design review stage of the building application process;
- 7.9 Require that the tree removal permit be denied if the approved configuration of the project should change significantly, or the surveyed tree plan is incomplete or inaccurate;
- 7.10 That if the tree removal permit application is denied for these reasons, the builder submit a new tree removal permit application which will re-initiate the tree removal permit process, including processing and appeal time frames.

The City Manager should:

- 7.11 Develop a proposal for consideration by the City Council, which would transfer the positions and duties of the Fire Prevention Engineer positions in the Fire Department to the Development Services Department.
- 7.12 Monitor the development and implementation of procedures by the Development Services Department which would insure that the Fire Department be directly involved and have approval authority for any building plan review standards involving fire safety. Such procedures should include a formalized quality assurance feed-back system from Fire Inspectors regarding the appropriateness of plan review approvals made by Development Services plan checkers and engineers.
- 7.13 Insure that procedures are developed and enforced by Development Services managers to insure that building plans always meet or exceed Uniform Fire Code standards should such standards conflict with the Uniform Building Code, National Electrical Code, or other applicable construction codes;
- 7.14 Insure that the Development Services Department develops and implements procedures for Fire Prevention Engineers to directly review all plans which require fire systems and devices of a highly technical nature.



- 7.15 Review a report prepared by the Development Services Department Manager detailing plan check engineer productivity, plan check processing times and additional staffing needs and make appropriate recommendations to the City Council based on this review.

### Costs and Benefits

There would be no cost to implement the recommendations. Permit processing time frames would be reduced and permit processing efficiency increased by having plan check engineers perform the State Title 24 energy check currently performed by outside firms, eliminating the Fire Department plan review process, and consolidating zoning design review and plan check functions.

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## SECTION 8: CONSTRUCTION INSPECTION

ALTHOUGH PLUMBING, MECHANICAL AND ELECTRICAL INSPECTION SERVICES GENERALLY MEET STANDARDS FOR APPOINTMENT SCHEDULING RESPONSE AND THE NUMBER OF INSPECTIONS PERFORMED PER DAY, AN IMBALANCE IN WORKLOAD AND SHORTAGES OF PERSONNEL IN THE BUILDING INSPECTION UNIT HAVE RESULTED IN CONSISTENT DELAYS WITH SCHEDULING BUILDING INSPECTIONS. DEPENDING ON SEASONAL WORKLOAD FLUCTUATIONS, THERE CAN BE AS MUCH AS A 7 TO 9 WORKING DAY WAIT BETWEEN INSPECTION REQUESTS AND APPOINTMENTS, DESPITE HEAVY USE OF OVERTIME AND SATURDAY APPOINTMENTS. IMPLEMENTATION OF A PROGRAM TO USE COMBINATION INSPECTORS FOR APPROPRIATE INSPECTION CATEGORIES WOULD INCREASE EFFICIENCY BY MORE EFFECTIVELY MEETING INSPECTION DEMAND AND REDISTRIBUTING WORKLOAD.

### Introduction

The Inspection Services Section of the Development Services Department is responsible for performing all required inspections to ensure that new construction and alteration work conforms to the Uniform Building, Plumbing and Mechanical codes, and the National Electrical Code. The Section is composed of the following units:

<u>Unit</u>	<u>Responsibility</u>	<u>Staff</u>
Building	<ul style="list-style-type: none"><li>• Inspects structural aspects of new construction and alterations to ensure safety and plan compliance.</li></ul>	<ul style="list-style-type: none"><li>• The unit is presently budgeted for:<ul style="list-style-type: none"><li>1.0 Supervising Inspector</li><li>1.0 Senior Building Inspectors, and</li><li>8.0 Building Inspectors.</li></ul></li></ul> <p>The Section is currently recruiting to fill 3 vacancies.</p>

- |                         |   |  |
|-------------------------|---|--|
| Plumbing/<br>Mechanical | <ul style="list-style-type: none"> <li>• Inspects plumbing and mechanical work in new construction and alterations, including: drainage and vent systems, plumbing fixtures, potable water systems, gas piping, flues for appliances, water supply piping, and PG&amp;E replacement gas lines.</li> </ul> | <ul style="list-style-type: none"> <li>• The unit is presently budgeted for:<br/>1.0 FTE Supervising Inspector<br/>1.0 Senior Plumbing and Mechanical Inspectors<br/>5.0 Plumbing Inspectors, and<br/>2.0 Mechanical Inspectors.</li> </ul> <p>The unit is currently recruiting to fill one Senior Inspector position.</p>                                   |
| Electrical              | <ul style="list-style-type: none"> <li>• Inspects all electrical construction (including overhead wires and underground installations) to insure compliance with applicable codes.</li> </ul>   | <ul style="list-style-type: none"> <li>• The unit is presently budgeted for:<br/>1.0 Supervising Inspector<br/>1.0 Senior Electrical Inspectors, and<br/>7.0 Electrical Inspectors (one inspector is used as a floater who relieves inspectors with counter duty).</li> </ul> <p>The unit is currently recruiting to fill one Senior Inspector position.</p> |

The City is divided into geographical districts, with each district assigned one inspector. The number of districts varies by specialty area, according to the number of assigned inspectors:

- Building Inspection: Includes ten districts, with districts two and six designated for Saturday only, and chimney inspections. Inspectors are assigned to these two districts on a rotating basis.
- Plumbing/Mechanical Inspection: Includes nine districts, five of which are presently staffed by Plumbing Inspectors. The workload of two vacant plumbing districts is absorbed by other inspectors. Districts 8 and 9 are designated as mechanical districts, both of which are staffed by mechanical inspectors.
- Electrical Inspection: Includes eight districts, six of which are presently staffed. The workload of the two vacant districts is absorbed by other inspectors.

### Scheduling of Inspections

Inspection services has a centralized, automated appointment scheduling system which is operated by Intermediate-Typist Clerks (ITCs). The inspection



request system is available to callers five days a week from 8:00 AM. to 4:00 PM. The Clerk enters the requested inspection date into the computer. If the schedule for the given type of inspection for the appropriate district is filled, the computer will not accept the appointment. The clerk then enters subsequent dates until reaching a date when an appointment is free.

The department maintains a 'District Book' which designates street addresses as AM or PM. Callers may request AM (8 AM to 11 AM) or PM (1 PM to 4 PM) appointments. However, if the request falls outside the designated AM or PM location, the inspector may try but is not obligated to meet the request.

### Workload of Inspectors

The Inspection Services Division has a long-established performance standard of accomplishing 14 inspections per day for each inspector, in each specialty area. According to interviews with supervisory personnel, as well as observations of scheduling clerk activity, Plumbing/Mechanical and Electrical inspectors tend to meet that standard except on days when meetings are scheduled and clerks are instructed to hold appointment calls to a lower level. In most cases, the Plumbing/Mechanical and Electrical specialty areas can provide appointments within 24 to 48 hours of the request.

Building Inspection schedules an average of 10 to 12 appointments per inspector per day, depending on workload and inspector availability. When one or more inspector is over-booked, or is absent due to illness or other causes, the inspectors remaining on duty are assigned that inspector's work.

In addition, Building Inspection has not been able to fill all positions for approximately three years, and presently has three budgeted positions unfilled. In response to this on-going vacancy rate, Building Inspection regularly schedules Saturday inspections in an attempt to reduce backlogs. Increased seasonal demand for building inspections, coupled with staffing shortages, has hampered the ability of Building Inspection to meet its appointment scheduling objective of providing next day inspection services.

### Appointments

The Inspection Services Unit estimates that the average waiting time to schedule a building inspection is seven to eight days. Table 8.1 illustrates the average number of inspections which were scheduled each day from the point when builders called for an appointment. Table 8.2 shows the daily average number of days until the next available inspection appointment by district, by month. Both tables represent data for the period October 1990 through May 1991.

Table 8.1

**Analysis of Building Inspector Scheduled Inspections**  
**Average Number of Inspections Scheduled Per Day**  
**City of Oakland Office of Public Works**  
**October 1990 through May 1991**

**Average Inspections Scheduled Per Day**

<u>Days</u>	<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>5</u>	<u>6</u>	<u>7</u>	<u>8</u>	<u>9</u>	<u>10</u>	<u>Sat</u>
Dt 1	11.4	8.9	4.7	2.7	0.8	0.2	0.0	0.0	0.0	0.0	0.0
Dt 3	12.5	11.4	7.1	5.6	3.5	2.7	0.9	0.6	0.2	0.2	0.2
Dt 4	10.8	8.7	5.4	2.0	0.5	0.3	0.1	0.1	0.0	0.0	0.1
Dt 5	11.3	8.1	5.7	3.7	1.1	0.4	0.1	0.1	0.1	0.1	0.0
Dt 7	11.6	8.5	4.4	2.7	1.4	0.5	0.3	0.1	0.1	0.0	0.1
Dt 8	11.4	9.3	6.4	4.5	3.3	1.2	0.7	0.7	0.2	0.1	0.1
Dt 9	10.9	8.4	3.3	1.4	0.6	0.2	0.1	0.1	0.1	0.0	0.1
Dt 10	7.6	4.5	1.9	1.2	0.2	0.2	0.0	0.1	0.1	0.0	0.0
Avg	10.9	8.5	4.8	3.0	1.4	0.1	0.3	0.2	0.1	0.1	0.1

On average, 10.9 inspections are scheduled per district daily. For the period reviewed, an average of 2.4 inspection appointments are available on the second day, if one assumes that the 10.9 average represents the threshold for scheduling appointments. A map of Oakland building inspection districts is shown in Appendix 8.1.

Despite the average availability of some early scheduling, inspections are often scheduled as far as nine or ten days in advance. This suggests that builders may anticipate inspection needs well in advance of being prepared for the inspection to occur. Some builders interviewed during this study indicated that in order to avoid the possibility that inspector schedules are full, builders will call in advance to insure that an inspection appointment is available when needed.

Workload also fluctuates between districts, with District 3 and District 8 carrying the highest average number of scheduled inspections. Scheduling availability also fluctuates with the building season, as demonstrated below:



Table 8.2

**Analysis of Building Inspector Scheduled Inspections  
Number of Days Until Next Available Appointment by Month  
City of Oakland Office of Public Works  
October 1990 through May 1991**

**Approximate Number of Days Until Next Available Inspection Day**

<u>Month</u>	<u>Oct.</u>	<u>Nov.</u>	<u>Dec.</u>	<u>Jan.</u>	<u>Feb.</u>	<u>Mar.</u>	<u>Apr.</u>	<u>May</u>
Dt 1	3	3	2	2	3	3	4	5
Dt 3	4	3	3	5	5	3	6	7
Dt 4	3	4	4	2	3	4	4	4
Dt 5	2	3	2	2	4	4	5	6
Dt 7	3	2	2	2	2	2	4	7
Dt 8	3	3	2	2	3	5	5	9
Dt 9	3	3	3	3	3	3	3	5
Dt 10	2	2	1	2	3	3	2	5
Avg.	3	3	2	2	3	3	4	6

There are clear seasonal fluctuations in scheduled workload for the Building Inspectors, with the months of December and January being the lowest and the late spring being the highest. As can be seen from the inspection district detail, the number of days before an inspection can be scheduled peaks in May at an average of six working days, with a nine day wait required in District 8 and seven day wait required in districts 3 and 7. These waiting periods tend to escalate later in the building season (June through September), as stated by building inspectors who were interviewed as part of this study, and supported by a review of summary statistics for the months of June through September which show that workload consistently meets or exceeds May activity during this time.

#### **'Add-On' Appointments**

In addition to inspections which are scheduled in advance for each specialty area, inspectors also add inspections to their schedules for one of the following reasons:

- To reallocate workload when demand from one or more districts is substantially higher than demand from other districts, or to cover for inspector absences.
- To allow for convenience and efficiency in travel time. For example, when an add-on inspection is in close geographical proximity to a scheduled appointment.
- To accommodate a permittee's need for an emergency inspection.
- To follow-up on expired permits.

An analysis of the Department's Field Inspection Performance Data by district was conducted to determine the percentage of add-ons in the total workload by specialty area. The number of add-ons was calculated by subtracting the number of inspections scheduled, adjusted for cancellations, from the number actually performed. The results were reviewed with supervisory personnel from each specialty area.

The analysis shows that Plumbing/Mechanical and Electrical have a 38 percent and 29 percent add-on rate, respectively. Both specialty areas have a higher percentage of add-ons than Building, which has a seven percent rate. Plumbing/Mechanical and Electrical supervisors indicate that in order to achieve the standard of 14 calls per inspector per day, inspectors in these specialties initiate inspections by researching files to identify expired or about-to-expire permits and to accommodate last minute requests for inspections.

In the Building area, inspectors are unable to initiate inspections due to the level of their workload. The Inspection Services Manager reports that add-ons are primarily employed in this specialty area to accommodate requests for inspections when the wait for the regularly scheduled inspection poses particular hardship or inconvenience for the permittee.

### **Analysis of Work Hours**

All inspectors are scheduled to work an 8.5 hour day, with the hours allocated as follows:

<u>Hours</u>	<u>Activity</u>
5.0	Field Inspections
1.5	Office, AM
<u>0.5</u>	<u>Office, PM</u>
7.0	Total Work Hours
1.0	Lunch
<u>0.5</u>	<u>Breaks</u>
8.5	Scheduled Work Hours

The morning office hours are dedicated to pulling permits for the day's inspections, receiving or returning calls from the public and meeting with contractors, preparing schedules based on AM/PM designations, and clearing work from previous day inspections. The half-hour allocated in the afternoon is provided for inspectors to complete paperwork (such as correction notices) generated from the day's inspections. When the amount of time actually spent in the office for a meeting or processing paperwork exceeds the allotted time of 1.5 hours in the morning, the amount of time available to spend on field inspections decreases.



Table 8.3 provides several performance indicators which show how time is typically used in districts which supervisory personnel characterize as light workloads and heavy workloads for each inspection unit. For Plumbing, Mechanical and Electrical, heavy districts are those in the downtown commercial areas. For Building, the heavy districts are characterized as residential, with a concentration of hillside construction.

The table shows that on average, inspectors in heavy workload districts spend less time on each inspection than do inspectors in light districts, even though the type of construction in heavy districts is generally characterized as more complex in nature. This suggests that inspectors in light districts may not have the inspection production pressures that inspectors in heavy districts have.

**Table 8.3**

**Performance Indicators for Selected Inspection Activities**  
**City of Oakland Inspection Services Division**

<u>Performance Indicator</u>	<u>Heavy District</u>	<u>Light District</u>
<u>Inspections Per Office Hours</u>		
Building	6.75	5.15
Plumbing/Mechanical	7.84	4.87
Electrical	5.77	5.15
<u>Percent of Time Spent in Office</u>		
Building	26%	27%
Plumbing/Mechanical	24%	31%
Electrical	28%	26%
<u>Inspections per Field Hour</u>		
Building	2.4	1.9
Plumbing/Mechanical	2.5	2.1
Electrical	2.3	1.8
<u>Minutes per Inspection</u>		
Building	25	31
Plumbing/Mechanical	24	28
Electrical	26	33

If the district workload for the day is heavy, overtime is used in lieu of carrying the inspection to the next day. Building inspectors indicate that they work a substantial amount of overtime to meet their inspection schedules, although overtime hours are not consistently recorded. However, these statements are generally supported by our examination of sample records. In

addition, we also found that Plumbing, Mechanical and Electrical inspectors make only occasional use of overtime.

In each specialty area the amount and frequency of overtime varies by district. For Plumbing, Mechanical and Electrical, heavy workload districts are more likely to use overtime, although it is still infrequent. For Building, records consistently showed evidence of overtime in Districts 1 and 3. Although District 1 was not characterized as heavy by supervisory personnel, it includes the downtown area. The incumbent inspector reported that overtime is used in this district because: 1) Paperwork for the district is intensive due to the type of construction, and 2) Inspections in this district are typically for high-rise structures, which are more complex and time consuming than are inspections in other districts. For example, the incumbent inspector in this district noted that an inspection of 1300 Clay Street required two hours of inspection effort and an inspection of the new EBMUD office building needed 1.5 hours of inspection effort.

### Combination Inspection Program

The Plumbing/Mechanical and Electrical units, based on our analysis, were found to meet scheduling appointment standards of 24 to 48 hours, and actively augment their workloads to meet the performance standard of 14 inspections per day. However, the Building Inspection Unit consistently falls short of meeting the department objective of "guaranteed next day morning or afternoon inspections". This is due primarily to staffing shortfalls coupled with a heavy and increasing demand for inspections, which fluctuates greatly by season and district. Without Saturday appointments and daily overtime in certain districts, the backlog conceivably would be much greater than it is.

The Department provided us with estimates regarding the minimum and maximum number of inspections which are typically performed for various projects, as presented in the table, below.

Table 8.4

#### Department Estimate of Total Required Inspections by Broad Inspection Category - City of Oakland CY 1991

	<u>New Commercial</u> Minimum-Maximum	<u>Tenant Improvements</u> Minimum-Maximum	<u>New Residential</u> Minimum-Maximum	<u>Residential Remodeling</u> Minimum-Maximum
Building	10 to 30	4 to 5	12 to 12	7 to 8
Electrical	3 to 15	2 to 10	3 to 5	1 to 4
Plumbing	10 to 30	4 to 8	6 to 8	4 to 6
Mechanical	33 to 105	12 to 26	17 to 35	18 to 26

One way efficiency in inspections could be increased without augmenting staff would be through the use of combination inspectors. Used primarily for



residential projects and less complex construction (as noted in our survey findings, discussed below), combination inspectors are qualified to conduct plumbing/mechanical and electrical, as well as building inspections. At several project phases the combination inspector can 'sign-off' on all areas in a single site visit.

The department contends there are several variables which affect the frequency of site visits, such as complexity of the job and the skill level of the builder. However, the table shows that anywhere from ten inspection visits (tenant improvements) to 25 inspection visits (new residential construction) could be consolidated in Oakland through the use of a combination inspection program.

Individual inspection visits will probably take longer than with the present specialty inspection program. However, combination inspections will reduce the time required for appointment coordination, travel, and paperwork. Therefore, it is improbable that the increased inspection visit time will be equivalent to the combined time of the separate specialty inspections which presently occur.

As part of this study, we conducted a survey and received responses from eleven jurisdictions, including nine cities and two counties, to determine if combination inspectors are used by other jurisdictions. Six jurisdictions presently use combination inspectors, with one jurisdiction (San Jose) being in the process of evaluating a combination inspection program. Follow-up telephone contacts were made with all of the respondents to review specific issues, such as organizational and staffing configuration of their combination program, and workload, duties, and qualifications of staff. Respondents with combination inspection programs indicated their programs had been in place on average for ten years. The benefits most frequently noted included: less demand for service (appointment scheduling), more cost effective use of staff, greater flexibility with staff assignment, and more opportunity for employee development.

Respondents indicate that a higher number of inspections can be performed with less inspection visits in the jurisdictions with combination inspectors, than would otherwise occur with specialty inspectors even though the length of time required for each inspection visit is increased. The following table shows the reported workload and estimated per inspection field time for combination inspectors from the survey respondents:

Table 8.5

**Inspection Activity and Times in Jurisdictions  
With Combination Inspection Programs**

Average number of inspections per inspector	Berkeley 12-15	Long Beach 17	Pasadena 16-18	Sacramento 14	Alameda County 15	Contra Costa County 17
Average time per inspection	15-30 mins.	20 mins.	20-30 mins.	25 mins.	20 mins.	20 mins.

Feature's common to respondents' combination inspection programs were as follows:

- The Cities are divided into separate districts for combination inspections and commercial/industrial work.
- Combination inspectors are used primarily for single and two family residences, and non-structural inspections. Specialty inspectors in building, electrical, plumbing and mechanical are retained for large structures, such as triplexes, high-rises, commercial or industrial plants, or other specialized projects.
- Combinations inspectors are used for commercial projects only in Alameda County, which has few commercial buildings; and Pasadena, for wood framing of commercial projects only.
- A team concept is used for supervising and organizing combination inspectors. For example, in the City of Long Beach and the County of Contra Costa, all combination inspectors report to a Senior Inspector who has specialty qualifications. In the City of Pasadena, combination inspectors fill-in for the senior inspectors if the former possesses a background in the needed specialty area.
- Combination inspectors are generally entry level positions, while the senior inspectors are specialists in building, plumbing, mechanical and electrical, and are retained to perform more specific and complex work.
- Meetings are held weekly with combination inspectors for training and code review.
- Code enforcement inspectors are not included in a combination program.
- International City Building Official, Combination Inspection Certification is generally required of staff.



A review of survey responses and follow-up discussions with representatives from these other jurisdictions indicates that the use of combination inspectors has resulted in:

- A reduction in the total number of inspections requested and in delays between the time of request and time of inspection.
- Fewer inspectors required to achieve necessary levels of service.
- Improved attention to more complex inspections for commercial and industrial projects by specialty inspectors.
- Less reliance on overtime.

To implement a combination inspection program there would be initial costs of time and money for training, reallocation of workload, reconfiguring districts, and integrating the combination inspectors with current specialty staff to conform with the new program. Because of the type of construction activity occurring the City of Oakland, it is important to retain some specialty expertise which would be assigned primarily in districts characterized by high rise, high density, or complex development.

Further, because most specialty positions are presently filled, full implementation of a combination inspector program may not be appropriate at this time. It may be preferable to convert all existing vacancies to combination inspector positions, converting additional positions to this classification as they become vacant. The precise ratio of combination inspectors to specialty inspectors should be developed by the Inspection Services Division after a detailed review of inspection workload by construction category. Once determined, achieving this staffing ratio should be established as a goal for the Department.

Implementation of a combination inspector program may raise some labor issues with regard to wages and salary. Table 8.6 shows the current salary structure of Oakland for inspectors compared to surveyed salaries for combination inspectors in other jurisdictions.

Table 8.6

**Specialty and Combination Inspector  
Salary Ranges In Surveyed Jurisdictions**

<u>Surveyed Jurisdiction</u>	<u>Inspector Type</u>	<u>Monthly Salary Range</u>		
ALAMEDA COUNTY				
Building Inspector I	Combination	3,000	-	3,601
Building Inspector II	Combination	3,445	-	4,150
BERKELEY				
Combination Inspector	Combination	2,945	-	3,493
Senior Inspector	Combination	3,183		3,778
LONG BEACH				
Combination Inspector	Combination	2,766	-	3,392
Senior Inspector	Combination	3,066	-	3,751
OAKLAND				
Building Inspector	Specialty	3,305	-	3,656
Senior Inspector	Specialty	3,651		4,027

The Inspection Services Manager has proposed a combination inspection program and has drafted a tentative staffing proposal and organizational configuration. In addition, the Department has included the development of a combination inspection program as a goal in the FY 1991-92 Recommended Budget. The plumbing and mechanical supervising inspector has begun cross-training his inspectors to integrate the two functions.

We commend the department on this action. However, conversion to use of combination inspections should occur on a phased basis, and only after required training has been accomplished. In addition to increasing efficiency, the use of combination inspectors would provide a means of professional growth for entry level construction inspectors.

**Conclusion**

Currently, the Inspectional Services Division is organized on a construction specialty basis. There is an imbalance in workload between Plumbing/Mechanical and Electrical, which are generally able to meet performance standards, and building which has a consistent backlog of requests for appointments despite heavy use of Saturday and overtime scheduling in certain districts.

For single and two family dwellings, Inspectional Services could manage its construction inspection responsibilities more efficiently if the combination inspector concept were used, as is the practice in numerous other jurisdictions.



The use of combination inspectors would more effectively meet inspection scheduling demand, eliminate some administrative time, more equitably balance workload among staff, and accomplish workload in a more effective manner.

### **Recommendations With No New Costs**

The Development Services Department should:

- 8.1 Develop a program for integrating a combination inspector program for single and two family residential inspections into the Inspection Services Division and present the proposal to the City Manager for review. The program should determine the appropriate combination inspector and specialty inspector staffing ratio based on current and anticipated construction activity in Oakland.
- 8.2 Retain specialty plumbing, mechanical, and electrical inspectors to perform inspections on high rise, commercial and other complex construction projects, and to provide technical advise, assistance, and leadership to generalist inspectors.
- 8.3 Establish combination inspector job specifications which include ICBO certification requirements, and develop an appropriate in-house code instruction and training program for combination inspectors.
- 8.4 Realign inspection districts into combination districts, which primarily include existing residential development and zoning for single and two-family residences; and specialty districts, which primarily include existing high rise, commercial, and more complex development and zoning. Districts should be configured to provide a balanced workload for inspectors, and be periodically reevaluated for equity based on construction permit activity.
- 8.5 After authorization by the City Council, implement the combination inspector program in phases. Immediately replace current vacant specialty inspector positions with combination inspector positions, and replace other specialty inspector positions with remaining needed combination inspector positions as specialty positions become vacant through attrition.

The City Manager should:

- 8.6 Direct the Office of Personnel Resource Management to conduct a compensation study for combination inspector classifications based on Development Services Department proposed job specifications.
- 8.7 Review the Development Services Department proposal for the combination inspector program, and prepare implementation recommendations and cost estimates for the City Council.

## Costs and Benefits

The cost of developing a combination inspector capability cannot be determined at this time due to staffing, salary and benefit variables which are subject to further study and negotiations with employee bargaining units. However, based on the experience of other jurisdictions and workload experiences of Oakland, the City would probably realize a savings in costs through the modified and more efficient use of inspector classifications.

Implementation of these recommendations has the potential for improving the efficiency of inspection services and reducing the delay experienced by builders when wishing to schedule inspection appointments.



## SECTION 9: TREE REMOVAL PERMIT WORKLOAD AND FEES

THE OFFICE OF PARKS AND RECREATION TREE SECTION HAS EFFECTIVELY IMPLEMENTED THE TREE PRESERVATION ORDINANCE (TPO) BY INVESTIGATING AND RENDERING DECISIONS ON TREE REMOVAL PERMIT APPLICATIONS IN A TIMELY MANNER. HOWEVER, THE ADDITIONAL WORKLOAD RESULTING FROM ORDINANCE MODIFICATIONS IN 1990 HAS ADVERSELY AFFECTED OTHER COMPONENTS OF THE CITY'S TREE PROGRAM FUNDED THROUGH THE ANNUAL LANDSCAPE LIGHTING ASSESSMENT DISTRICT FEE CHARGED TO PROPERTY OWNERS IN THE CITY. TREE REMOVAL PERMIT APPLICATION SHOULD BE REEVALUATED BY THE CITY COUNCIL TO MORE FULLY RECOVER PROGRAM COSTS. ARBORIST STAFFING BEING REQUESTED BY OPR AND RECOMMENDED BY THE TPO WORKING GROUP SHOULD BE APPROVED IF THE CITY IS TO APPROPRIATELY IMPLEMENT A COMPREHENSIVE TREE PROGRAM.

The City of Oakland has adopted a Tree Preservation Ordinance (TPO) which requires that property owners receive approval from the City before removing certain protected trees or affecting the protected perimeter of those trees. The City's first TPO was adopted in 1976 and addressed only those trees located on undeveloped properties. This ordinance, and others which affect tree preservation (such as the City's building and grading ordinances), have been modified periodically by the City Council since 1976. The most recent modification to the TPO occurred in 1990, incorporating changes which extended the City's tree preservation requirements to owners of developed properties, created appeal rights for owners of adjacent properties, and established more effective procedures for the administration of the ordinance.

These most recent changes have increased both the number of tree removal permit applications and appeals within the City. The following table illustrates department reported permit and appeal activity since 1988.

Table 9.1

### City of Oakland Tree Preservation Ordinance Tree Removal Permit and Appeal Activity - 1988 through 1990

<u>Year</u>	<u>Permit Activity</u>			<u>Appeals</u>
	<u>Undeveloped Properties</u>	<u>Developed Properties</u>	<u>Total Properties</u>	
1988	68	0	68	0
1989	50	0	50	0
1990	93	173	266	14
1990 Percent Of Total	35%	65%	100%	5%

OPR logs show that through June 15, 1991 a total of 109 permit applications had been received by the Tree Section, of which 23 were for undeveloped properties and 47 were for developed properties. No property type has yet been designated on the record for the remaining 39 properties because of backlogs in record entry. Of the 70 properties with property type designations the record indicates that the distribution of applications between undeveloped and developed properties is consistent with 1990, and that two, or six percent of permit decisions, have been appealed.

### TPO Program Effectiveness

The City's Tree Preservation Ordinance establishes a 38 working day period for processing tree removal permits and deciding any appeals which may be filed. Key dates in this period are as follows:

<u>Day</u>	<u>Action or Required Activity</u>
1	Tree removal permit application filed.
1-5	Initial site inspection by arborist.
1-5	Adjacent property owners notified of permit application.
1-20	Determination of approval or denial.
5-25	Appeal filing within 5 days of OPR decision.
23-38	City Council decision on appeal

In order to determine the effectiveness of the TPO Program, the files for 20 tree removal permit applications were reviewed for January 1991. The results of this file review indicate that:

- The initial investigation by an arborist is consistently performed within five working days. Only one permit application exceeded this period, due to the need to obtain additional tree location information from the applicant.
- All determinations of approval or denial and notices of required conditions were completed within the 20 day mandated time period.
- Seventeen permit applications were processed and closed within the mandated 38 day time period.
- For one permit application, it was determined after initial inspection that trees had not been tagged. The inspector had placed the application on hold pending applicant response on a decision to continue. No applicant response had been received as of June 6, 1991.
- Two permit approvals with conditions had been appealed and were pending final action by the applicant. One appeal involved a long-standing easement disagreement between neighbors, and was appealed by the adjacent property owner who objected to the replanting plan agreed to by the applicant and the City. The application had been pending for five months after a suspension of the permit by the City Council.



The other permit appeal involved an OPR decision on tree removal after a long-standing disagreement between property owners over a view preservation matter. The view preservation matter escalated after a tree removal permit application was filed by the property owner and an appeal was filed by the adjacent property owner. This permit was also pending for five months after a suspension by the City Council.

This sample tree removal permit application file review indicates that generally the TPO program is well managed. Based on the statistics generated by OPR and the sample review, approximately 95 percent of all applications are processed satisfactorily and in a timely manner.

OPR Tree Services staff states that the remaining five percent are permit approvals which are generally appealed by adjacent property owners. This statement appears valid based on analysis of prior year appeal activity statistics and current logs. Further, the two sample permit files with appeal activity indicate that at least some appeals appear to be the product of long-standing neighborhood disputes to which the City becomes party through the enforcement of the TPO.

According to OPR staff, the appeal process generates significant workload for staff since multiple evaluations of the tree site and tree removal mitigation proposals are typically made, and it is necessary to correspond with the parties and report to management on the progress of the appeal. In some cases Tree Services staff indicate they must become mediators to disputes which have a basis in matters other than the removal of trees.

In part, it is this avenue of appeal for adjacent property owners which also concerns builders in Oakland since complex appeals can potentially delay development projects and result in a reconfiguration of project site plans. We found that most development related tree removal permit applications are approved unconditionally or with replanting agreements between the City and the builder. In addition, no instances of appeals on development properties were identified during our sample review. However, OPR managers and staff indicate that much effort is made during the landscape, site, and grading plan review phase to insure that the tree removal concerns of the property owners neighboring the development site are addressed.

Despite this seemingly low occurrence of appeal activity on development related permit applications, any delays which occur can be costly to the builder and result in a reluctance by the builder to comply with the intent of the TPO. Section 7 of this report discusses modifications to the development related tree removal permit application process which would advance the tree removal permit application to the design review.

## Affect of the TPO Program on Other City Tree Services

The TPO is only one of several tree related programs in the City of Oakland. In addition to the TPO, the City has implemented three other tree related ordinances which deal with view preservation, hazardous trees, and public safety from trees. In addition, the City Council adopted a resolution requiring mandated street tree planting for all building projects approximately 10 years ago.

The City has chosen to centralize the provision of tree services in the Office of Parks and Recreation since it is OPR which has responsibility for maintaining trees in City parks. This responsibility also has been extended to the maintenance of all trees on City properties, a significant portion of which include the planting and maintenance of trees on public rights-of-way. Presently, the Tree Services Section of OPR has varied tree related responsibilities and workload which involve the arborist inspector staff:

- Inspection of approximately 265 tree removal permits filed with the City annually (1990 statistics), involving the assessment of over 750 individual trees;
- Inspection of approximately 2,400 potential street tree planting sites in response to planting requests from citizens and City departments;
- Identification or inspection of approximately 300 hazardous trees or limbs on public rights-of-way;
- Inspection of approximately 400 sidewalk locations for tree root damage to determine the appropriateness of tree removal or other mitigation measures;
- Inspection of approximately 75 referrals from Pacific Gas & Electric to trim or remove trees interfering with power lines along public rights-of-way;
- Identification and investigation of approximately 30 illegal tree removal complaints;
- Investigation of approximately 160 City Attorney claims investigator requests for an assessment of sidewalk damage from trees on "trip and fall" claims; and,
- Review of approximately 100 commercial building and subdivision landscape plans referred from City Planning for the appropriateness of tree plantings.

In total, arborist staff receive approximately 1,230 requests for tree inspection or damage investigation services, some of which may require multiple site visits. In addition, arborist staff are requested to evaluate approximately 2,400 street tree planting sites, and approximately 100 landscape plans for commercial buildings and subdivisions.



The Tree Services Section has a full time staff of two arborists to accomplish this workload. A portion of these responsibilities are also conducted by the Supervisor, who also is charged with supervising the arborist function and the operation of five tree maintenance crews.

With this staffing of only two arborists, the OPR has not been able to effectively accomplish all of its responsibilities and has established service priorities. Among the top priorities are inspection of TPO tree removal permit applications, hazardous tree referrals, and PG&E power line tree trimming and removal requests. In addition, all City Attorney claim referrals are investigated, and commercial/subdivision landscape plans are reviewed. In total, priority inspection and investigation requests amount to approximately 830 annually. A portion of these permit applications and requests for service will require multiple site visits.

At a minimum, each arborist is therefore required to inspect or investigate an average of approximately 1.85 permit applications or priority requests for service daily. The 400 sidewalk inspections, which are considered a lower priority but can result in trip and fall claims against the City, or extensive damage to City infrastructure, increase this average per inspector to approximately 2.75 permit applications or requests for service daily. Records maintained each day for approximately two weeks for purposes of this study indicate that approximately 17 percent of these permit applications and requests for service result in multiple inspections. Adjusting the daily average by this amount results in an average 3.25 priority inspections daily.

Lower priority street tree requests involve an additional 5.25 tree planting site inspections daily. Further, each inspector must review one detailed commercial or subdivision landscape plan approximately every week. Records kept by the Section indicate that inspectors also attend several administrative meetings related to specific landscape and tree removal proposals, TPO code development, and other tree preservation related activities. Logs kept for this study also show that arborist inspectors respond to between 10 and 15 citizen and staff telephone calls daily, many of which are of a technical nature.

The Tree Section has been unable to effectively remain current with this workload. Although TPO tree removal permits are generally processed in a timely manner, street tree planting requests have been delayed. As of June 6, 1991, approximately 282 requests for street tree plantings were pending an arborist contact. This workload represented an average 43 day delay during which time citizens requesting the tree plantings had not yet been contacted by the arborists. Approximately eleven percent of these requests had been pending since the period prior to March 1991, with some requests pending for approximately eight to nine months. The Tree Section performance standard is to respond to the requesting citizen within seven calendar days.

In addition, it should be noted that this one day profile was taken after the Tree Section had made an extraordinary effort to respond to street tree requests for service. During approximately one month prior to this profile being conducted,

tree maintenance crew leaders assumed a portion of the arborist street tree planting site inspection workload in order to reduce a sizable backlog. Based on records maintained by the Section for purposes of this management audit, approximately 3.5 street tree report requests were processed daily during this period, which otherwise would not have been performed by arborists. Had this additional work not been performed by crew leader staff the street tree planting request backlog would have been approximately 25 percent greater and had significantly longer delays.

The City of Oakland has established a Landscape Lighting Assessment District (LLAD) throughout the City in order to finance a portion of the cost of City landscape and lighting services. Property owners are charged an \$87 annual fee which is intended to offset a portion of the City cost for services such as the street tree planting program and tree maintenance. According to City and OPR policy, owners of property where the street tree planting is to occur share in the cost of planting the tree since the property owners will be direct beneficiaries of the plantings. In FY 1991, commercial property owners were charged \$93 per tree and residential property owners were charged between \$35 and \$75 per tree for this service. To the extent that OPR does not conduct requested street tree plantings in a timely manner, the City does not fulfill its obligation under the LLAD, delays enhancement of the City's 'urban forest', and foregoes revenue to be received from the public/private tree planting partnership with property owners.

#### **Working Group Recommended TPO Changes**

The City Council has appointed a Tree Preservation Working Group which is to review the TPO and recommend changes which will enhance its effectiveness. A June 18, 1991 memo from OPR to the City Manager outlined the Working Group proposals for modifications to the TPO, as follows:

- That the TPO be modified to incorporate a posting, notification, and public appeal process for all City trees, with the exception of those trees determined to be hazardous or to be removed as part of a capital improvement project;
- That a distinct process be established for the processing of tree removal permit applications which are unrelated to development projects, including appeal review by the Parks and Recreation Advisory Commission (PRAC);
- That an environmental review process be established for processing tree removal permits, in accordance with City Attorney interpretation of California Environmental Quality Act requirements (CEQA);
- That a set of "specific (and non-discretionary) criteria" be established for determining tree replacement requirements or in lieu fees when established by OPR as a condition of removal;
- That administrative redundancy be eliminated by exempting court-mandated tree removals; and,



- That tree removal permits expire after one year, with a one year extension at the applicants request.

These recommended modifications to the TPO are reasonable and should be approved by the City Council. Presently, the City applies different standards for City trees than for privately owned trees. Based on interviews with OPW management and Tree Services staff, tree trimmings and removals are often performed by OPR and the Office of Public Works without the same level of review or public hearing opportunity as would occur with private trees.

In addition, it is reasonable to administratively separate development related and non-development related tree removal permit application processing, and to transfer non-development related appeals to a body other than the City Council. However, it is OPR's intention to transfer responsibility for accepting these applications from the building permit counter at 1330 Broadway to the OPR service counter at Parks and Recreation offices at Lakeside Drive. The City should establish procedures to allow non-development related tree removal permit applications to be purchased at either location, rather than strictly segmenting application acceptance. Such a procedure would be consistent with City efforts toward "one-stop shop" services and should not be difficult to implement since Development Services will have already implemented a process for development related tree removal permits.

Based on our review of the tree removal permit application and review process, the administrative changes to the TPO which are being recommended by the Working Group also appear reasonable and should be approved by the City Council. The implementation of CEQA review procedures should be closely monitored and efforts be made to make such procedures as efficient as possible, particularly as they relate to coordination with other permit processing and environmental impact review requirements for development projects.

### **Coordination of Tree Removal Permits with Design Review**

The Working Group also has been examining modifications to the tree removal permit procedure which would coordinate development related tree removal permit application with the design review phase of building projects. Based on discussions with OPR staff, it has been suggested by members of the Working Group that the tree removal permit application be filed at the pre-application design review stage of development permit processing. Although we agree that the point at which tree removal permit applications are filed can be earlier, we believe that moving it to the pre-application design review stage is not appropriate. A comprehensive discussion of this matter is included in Section 7.

### **Tree Removal Permit Fees**

The OPR has recommended to the City Manager that one additional arborist inspector be added to the Tree Section to implement the suggested modifications to the TPO, particularly as they relate to the posting, notification, and public appeal process for City trees. We agree that this position is necessary

should the City Council adopt the recommendations of the Working Group on TPO modifications.

Additionally, our review indicates that OPR should conduct a thorough review of clerical staff needs and automation in its Tree Section of the Maintenance Services Division. Observations and a review of telephone logs maintained during the course of this study indicate that supervisor and inspector staff spend a considerable amount of time answering telephone calls, updating manual logs and schedules, typing correspondence, and performing other tasks which are clerical in nature, and which could be made more efficient with the use of mini-computers. In part, the current staff's difficulty with accomplishing its workload in a timely manner is related to insufficient clerical and computer support.

Even given current staffing and tree removal permit workload, the City does not recover its full cost for the TPO program. Based on workload reported for 1990, we estimate that the department presently uses approximately three quarter FTE arborist inspector for the performance of tree removal permit activities (approximately 1.5 inspections daily, with landscape plan review, administrative, and appeal duties). According to OPR, the cost of a full-time arborist and vehicle for one year is approximately \$74,000.<sup>1</sup> Therefore, the direct cost of implementing the TPO is approximately \$55,500 annually, not including supervision, clerical support, and general City overhead.

In FY 1989-1990, the Office of Public Works reported collecting approximately \$6,900 in tree removal permit application fees. However, three quarters of that fiscal year represented revenue collected prior to the implementation of the revised ordinance which extended TPO requirements to developed properties. In FY 1990-91, we have estimated that revenues will be approximately \$15,500. The portion of TPO implementation cost (direct only) which is unfunded from tree removal permit fees is therefore approximately \$40,000 annually.

According to OPR staff, the City of Oakland has a policy of subsidizing some costs for providing parks and recreation services. When recommending TPO fees to the City Council, most recent fees were set at \$45 for developed properties and approximately \$85 (depending on the number of trees) for undeveloped properties. These fees were not intended to recover full cost of the TPO program because of the OPR policy and because of a concern that if fees are too high, program compliance will be less effective.

While the City may wish to continue subsidizing non-development related tree removal permit processing activities as a policy matter in order to increase voluntary compliance with the ordinance, subsidized permit fees for development related permits is contrary to policy adopted by OPW. In FY 1990-91, OPW is projected to recover nearly all of its development related costs through fees.

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<sup>1</sup>Office of Parks and Recreation, Interoffice Letter to the City Manager, Tree Preservation Ordinance Recommendations, June 18, 1991.



Given these conflicting fee policies, and a process for evaluating development related tree removal permit applications which is generally more complex, the City Council may wish to consider revising its current fee schedule. These revisions should establish variable fees for development related and non-development related (including undeveloped properties) permits, as opposed to the current system which establishes variable fees on the basis of developed and undeveloped properties only. Further, these fees should be established to recover a greater percentage of program costs.

OPR does not keep summary statistics on tree removal permits based on development or non-development related categories. However, assuming that tree removal permit activity for undeveloped properties approximates the number of applications for development related projects, current fees should be modified, as follows:

Table 9.2

**Tree Removal Permit Application**  
**Proposed Fee Model - City of Oakland FY 1991-92**

<u>Category</u>	<u>Percent Activity</u>	<u>Cost Portion</u>	<u>With City Non-Development Subsidy of 50%</u>	<u>Activity</u>	<u>Estimated Fee</u>
Development	35%	\$19,425	\$19,425	93	\$208
Non-Development	65%	\$36,075	\$18,038	173	104

Based on this model, and the estimate of development and non-development tree removal permit activity, the City Council should revise the current Master Fee Schedule to charge \$200 for development related (and undeveloped property) permits with one to ten trees, and an additional \$20 for each additional tree; and \$100 for non-development related permits with any number of trees.

The Development Services Department presently charges a \$60 fee to tree removal permit applicants for accepting and processing the applications at the permit counter. This amount should continue to be charged for all permit applications filed at that location, but should not be charged for non-development related tree removal permit applications filed at OPR offices. This would increase development related permit costs to a total of \$260. Counter and routing costs for non-development related permits filed at OPR offices could be subsidized by the City, resulting in a non-development related tree removal permit total cost of \$100.

Total revenues collected from the model fees would be approximately \$35,700, or 64 percent of the program cost based on CY 1990 activity statistics. If activity or scope of services changes, fees should be reevaluated at that time. Fees for appeal (currently established at \$50) should be kept low relative to permits. Illegal tree removal investigation fees should be established, and penalties should be increased, as necessary, to recover full cost.

## Conclusion

The Office of Parks and Recreation Tree Section has effectively implemented the Tree Preservation Ordinance by investigating and rendering decisions on tree removal permit applications in a timely manner. However, the additional workload resulting from ordinance modifications in 1990 has adversely affected other components of the City's Tree Program funded through the annual Landscape Lighting Assessment District fee charged to property owners in the City.

## Recommendations With New Costs

The City Council should:

- 9.1 Authorize the addition of an arborist inspector for the administration of the TPO, based on current workload in the OPR Tree Section and increased responsibilities related to proposed ordinance modifications.

## Recommendations With No New Costs

The City Council should:

- 9.2 Adopt the recommendations of the Tree Preservation Ordinance Working Group related to the posting, notification, and public appeal process for the removal of certain City trees; establishing a separate process for tree removal permit applications which are unrelated to development; establishing a CEQA process for tree removal permits; establishing standardized criteria for determining tree replacements and in-lieu fees; and establishing other administrative revisions discussed in the body of this section.
- 9.3 Direct the City Manager to conduct a thorough review of clerical staffing and automation needs for the Tree Section of the OPR Maintenance Division, and report back with recommendations before implementation of proposed Working Group ordinance modifications.
- 9.4 Direct the City Manager to insure that a procedure is established for non-development related tree removal permit applications to be accepted at the central permit counter at 1330 Broadway.
- 9.5 Direct the City Manager to work with OPR to develop a methodology for determining development related (including undeveloped properties) and non-development related tree removal permit fee proposals for consideration by the City Council. The analysis presented in this Section could be used as a model by applying development related permit activity statistics.
- 9.6 Establish a policy of full cost recovery for all development related permits in the City.



## Costs and Benefits

Based on OPR estimates, the cost of the arborist inspector position and vehicle will be approximately \$74,000 annually. Additional costs may be appropriate for clerical staffing and automation required to support the Tree Section, including tree maintenance activities.

Modifications to the TPO will extend the requirements presently applied to private property owners to the City regarding the removal of trees, and will extend appeal rights to property owners adjacent to City properties. Other TPO changes will improve the administration of the ordinance.

The addition of the arborist inspector will provide sufficient staffing to effectively administer all aspects of the City's Tree program, including street tree planting. Arborist inspector and supervisor staff would be used more effectively with the addition of clerical staff and mini-computer support capability, and other areas of the OPR Tree Section could potentially also benefit.

Establishing a procedure for accepting tree removal permit applications at the central permit counter at 1330 Broadway will increase public service and be consistent with the "one-stop shop" concept presently being examined by the City.

Development and implementation of a tree removal permit fee model, as proposed in this section, would insure that City policies regarding construction related permits are more equitably applied by departments. If the model OPR tree removal permit fees are adopted, 100 percent of development related and 50 percent of non-development related permit costs could be recovered. Adoption of cost recovery fees, with this 50 percent subsidy for non-development tree removal permit applications, would result in increased revenue of approximately \$20,000 annually while insuring continued compliance with the tree removal permit process.

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## SECTION 10: HOUSING CONSERVATION INSPECTOR WORKLOAD

HOUSING CONSERVATION SECTION (HCS) HOUSING INSPECTOR WORKLOAD AND ACTIVITY IS NOT SUFFICIENTLY MONITORED OR DOCUMENTED. AN ANALYSIS OF WORKLOAD THROUGH USE OF CASE FILE RECORDS AND SUMMARY STATISTICS INDICATES AN ACTUAL LEVEL OF ACTIVITY SIGNIFICANTLY BELOW THAT STATED BY HOUSING INSPECTORS AND SUPERVISORS. WHILE STAFF REDUCTIONS ARE NOT RECOMMENDED AT THIS TIME, PROCEDURES SHOULD BE IMPLEMENTED TO INCREASE FIELD ACCOUNTABILITY AND IMPROVE CASE DOCUMENTATION. FURTHER, THE HCS SHOULD ASSUME ADDITIONAL FUNCTIONS INCLUDED THROUGHOUT THIS REPORT, WITHOUT RECEIVING ADDITIONAL STAFF POSITIONS.

### Introduction

The Housing Conservation housing inspector workload is primarily complaint generated. The majority of these complaints are referrals from the Oakland community although cases are also generated by other City of Oakland departments and by Housing Conservation housing inspectors and staff. The table below shows the number of complaints, termed "Requests for Services" (RFS) received for the period 1985-90.

**Table 10.1**  
**Housing Conservation Section**  
**Requests for Service**  
**1985-1990**

<u>Year</u>	<u># of Requests for Service</u>
1985	4,832
1986	4,647
1987	4,600
1988	5,296
1989	5,609
1990	5,484

Of the 5,484 RFS received by Housing Conservation in 1990, 1,005 complaints (18.3 percent) were generated by other City departments. The two City department's which generated the most referrals were the Oakland Police Department Beat Health Unit, with 472 RFS, and the Planning Department, with 131 RFS. In addition, 544 cases originated (9.9 percent) through Housing Conservation inspector and staff enforcement activity.

RFS cases are assigned to the 22 Housing Conservation inspectors primarily on a geographic basis. There are three units, two with seven housing inspectors each and one unit with eight housing inspectors, and the City is geographically divided for each unit. Assignment within each of the three units is a mixture of pure geographical division and some specific assignments for particular areas within the City. For example the district that covers the eastern part of the City has some housing inspectors with specific neighborhoods and some inspectors who cover the main thoroughfares, such as MacArthur Boulevard.

Each housing inspector's workload is a mixture of inspections of new cases and reinspections of existing cases. Based on interviews with Housing Conservation staff it was determined that Housing Conservation policy does not currently require housing inspectors to provide supervisors with comprehensive listings of scheduled or completed inspections. Therefore, it is not possible to evaluate housing inspector workload based on the number of inspections conducted. It is also not possible to evaluate the mixture of new inspections and reinspections for each housing inspector.

Interviews with all three supervisors and a sample of randomly selected housing inspectors indicate that it is staff perception that inspectors conduct between six to 10 inspections per day in the approximately five to six hours spent in the field each day. This would mean that each inspection (including travel time) would average between 30 and 60 minutes each. With 22 housing inspectors working approximately 225 days per year (net of holidays, vacation and sick leave)<sup>1</sup> at an average of eight inspections per day, the total number of inspections would equal 39,600. This would equal 1,800 inspections per housing inspector annually.

Because complete data on the number of inspections conducted by housing inspectors is not available, we conducted an analysis of 1990 workload statistics and a sample of 100 RFS cases selected randomly from 1990. Housing Conservation staff utilize an automated complaint tracking system that provides information on when a complaint is received and dates when action is taken, and codes the cases based on type of case, action taken by the housing inspector and disposition. While this system provides some data on the number of inspections, it is not considered by Housing Conservation staff to be an accurate measure of inspection workload because the data entry form used by the housing inspectors provides insufficient space to record all inspection activity.

However, using the workload statistics and the case information present from the selected case sample, an estimate of the number of inspections was

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<sup>1</sup> From 365 calendar days the following subtractions were made:

- 104 weekend days
- 15 vacation days
- 13 holidays
- 8 sick days



conducted. These categories of action and the number of RFS for 1990 falling into each are presented in the table below.

**Table 10.2**  
**Housing Conservation 1990 Requests for Service**  
**by Housing Inspector Action**

<u>Inspector Action</u>	<u>Total #</u>	<u>% of 1990 cases</u>
No action needed/taken	2,414	44%
HAAB 39 Enforcement	1,478	27%
Notice to Abate Enforcement	1,119	20%
Other*	<u>473</u>	<u>9%</u>
Total 1990 RFS	5,484	100%

\* There are a number of miscellaneous action categories. However, for purposes of this analysis, these cases can be grouped into a general "other" category into which a small number of cases fall.

The selected case sample was used to review cases assigned to each of these categories to provide a general indication of the number of inspections conducted by case type. The profile of the case categories contained in the case sample was similar, within the sample size margin of error of plus or minus ten percent, to the case category profile of all cases for 1990. This data is shown in the table below.

**Table 10.3**  
**Comparison of Case Sample and all-1990 RFS**  
**by Housing Inspector Action**

<u>Inspector Action</u>	<u>% of Sample Cases</u>	<u>% of 1990 Cases</u>
No action needed/taken	50%	44%
HAAB 39 Enforcement	25%	27%
Notice to Abate Enforcement	19%	20%
Other	<u>6%</u>	<u>9%</u>
Total 1990 RFS	100%	100%

Because the data entry RFS form does not provide sufficient space for documenting inspections, all information provided for each case was reviewed to determine if additional inspections had occurred. If there was a question on whether an inspection had or had not occurred, an inspection was counted.

#### **Cases Coded No Action Needed/Taken**

It should be noted that this designation is simply how such cases are coded for the complaint tracking system. It does not mean that the housing inspector has taken no action whatsoever for these cases. Rather, it means that relative to

cases requiring enforcement action these cases require less effort. Cases that are coded no action needed or taken are cases that are defined for the complaint tracking system as cases for which the closing of the case was the action taken by the housing inspector. Through a review of cases coded no action needed/taken and interviews with Housing Conservation staff it was determined that such cases include cases in which responsibility for abatement is determined not to rest with Housing Conservation, duplicate cases for which an RFS is already being investigated, cases that the housing inspector is unable to investigate, cases that can be closed with simply a phone call follow-up, and cases in which the information given by the complainant is non-actionable by the housing inspector.

The characteristics of all these cases are that they can be closed quickly and usually require a maximum of only one field inspection by the housing inspector. Sixty-five percent of such coded cases were closed within ten days, while only eight percent of all other cases were closed within ten days. Based on the case sample, 82 percent of all cases coded no action taken/needed were closed within the Housing Conservation performance standard of 25 days while only 37 percent of all other sample cases were closed within 25 days.

A review of the complaint tracking form and other case information revealed that some cases coded no action taken/needed do not require an inspection. Therefore, on average, these cases require less than one inspection per housing inspector. This is due to some cases being duplicates of existing cases or complaints that are outside Housing Conservation jurisdiction or authority. However, because of the questioned accuracy of the information reflected in the complaint tracking form and because such cases have little developed corollary paperwork, it has been assumed that all cases coded no action taken/needed require one inspection per housing inspector. Based on 2,414 such cases for 1990 this would have required 2,414 inspections for 1990.

### Enforcement Cases

RFS Cases for which an enforcement action is conducted by the housing inspector are usually either coded "39" to indicate the sending of a notice for the owner to clean-up their property or "NA" to indicate the sending of a warning to the property owner to abate violations of the Housing Code. As shown in the table above, for the 1990 caseload 1,478 Housing Advisory and Appeals Board (HAAB) 39 notices and 1,119 Notice to Abate notices were issued. The total for both categories is 2,597, approximately 47% of all RFS.

These cases require a greater degree of housing inspector involvement and almost always require at least one reinspection of the property to determine property owner compliance. Using the case sample, which included all available case documentation, these cases were analyzed to obtain an estimate of the number of inspections that occurred. There were 43 enforcement cases in the case sample and documentation was provided for 39 cases. For 36 percent of the enforcement cases, compliance was achieved with issuance of the initial notice to abate. A close examination of all enforcement cases revealed that on average three inspections occurred for these cases before compliance was achieved. If the



2,597 enforcement cases had an average of three inspections each, then the total number of inspections would have been 7,791 in 1990.

### Other Cases and Housing Conservation Generated Cases

As noted above, there were 473 cases for 1990 grouped into an "other" category. These cases include a number of categories including oral warnings to violators and providing a list of violations to the property owner. Since these cases represent a small percentage of the total RFS caseload (approximately nine percent) there were not enough data points in the case sample to draw any accurate conclusions on the number of inspections for these case types. Because of this, it was assumed that the average number of inspections would not exceed the number for enforcement cases. Therefore, it was assumed that the total number of inspections would be 473 multiplied by the enforcement inspection average of three or 1,419 inspections.

During 1990, 544 RFS cases were generated by Housing Conservation staff. Since housing inspectors are encouraged to generate cases within their districts these cases should be counted as an "inspection" and be included as an addition to housing inspector workload. This would result in an additional 544 inspections.

### Substandard Cases

Cases that are either being considered for or are designated substandard, public nuisance or ordered demolished by the Housing Advisory Appeal Board (HAAB) require additional enforcement by housing inspectors. A significant number of these cases can require many additional inspections as they are moved through the enforcement process and can consume a proportion of each housing inspector's workload beyond the relatively small number of cases that actually are designated by HAAB. A review of 1990 records indicated that 114 substandard cases were opened in 1990 and 71 were actually designated substandard by HAAB. A review of a small number of closed HAAB cases indicated that approximately five inspections occurred once the decision has been made that additional enforcement action is required or a building has been determined to be seriously debilitated (possibly because it was damaged by fire) and needs to be taken through the substandard process. This would be equal to 570 inspections based on 1990 case activity.

Additionally, because there are a number of steps involved in the substandard process, with a progressive enforcement procedure, it is not unusual for such cases to take an extended period of time before resolution is achieved. These cases are likely to require continual observation and inspection by the housing inspectors. It is assumed that this additional monitoring caseload would be at least equal to one current year substandard case activity and that an additional 570 inspections would be added to inspector workload, for a total of 1,140 substandard housing inspections.

## Summary of Estimated Inspector Workload

This analysis has estimated housing inspector workload based on case disposition data and an examination of sample case files. This data is summarized in the table below.

**Table 10.4**  
**Summary of Estimated Housing**  
**Inspector Workload**

<u>Case Category</u>	<u>Estimated Number of Inspections</u>
No Action Needed/ Taken	2,414
Enforcement Cases	7,791
Other Cases	1,419
Housing Inspector Cases	544
Substandard Cases	<u>1,140</u>
Total	13,308

As stated earlier, it was estimated that each housing inspector works approximately 225 days per year. This projection would therefore equal approximately 2.7 inspections per day per housing inspector.

It should be noted that most of this analysis is based on using the average number of inspections in each case category selected from the case sample to project the total number of inspections. This is an accurate estimating procedure since the case sample size is a statistically significant representation of all 1990 cases and, therefore, the average number of inspections per case in the case sample is reflective of the average number of inspections for all cases in each case category.

Based on 1990 housing inspector staffing levels of 22 FTE and assuming various ranges of inspections per day, projections of the total number of housing inspections can be generated and compared to the estimated actual number above. This data is shown in the table below.



**Table 10.5**  
**Projection of Housing Inspectors**  
**Annual Inspections**

<b><u># of Inspections Per Day</u></b>	<b><u>Projected Annual Inspections</u></b>	<b><u>% of 1990 Estimate</u></b>
4	19,800	148%
6	29,700	223%
8	39,600	298%
10	49,500	372%

If six inspections per day are assumed to be a standard for each housing inspector than each inspector would be able to conduct 1,350 inspections per year and the current caseload could be processed by approximately 10 inspectors. If the average is assumed to be eight inspections per day than each inspector could conduct 1,800 inspections per year and the current workload could be processed by approximately 7.5 inspectors.

#### **Estimated vs. Actual Housing Inspector Workload**

Interviews with a number of housing inspectors revealed a significant disagreement between actual workload and workload as reflected through the automated complaint system. Housing inspectors state that because there is little space for them to record their actions on the complaint tracking form, these forms significantly underestimate their field activity. It seems reasonable to assume that housing inspectors are conducting more than a little under three inspections per day. On a field visit with one housing inspector, five inspections were made in the morning hours alone.

Housing Conservation managers also state that housing inspector inspections may be accurately counted by this estimation method, but that general investigation activity is being omitted. Managers state that housing inspectors frequently must conduct multiple field visits to make initial contact with the complainant, to make contact with the owner, and to research the complaint. These activities, managers suggest, are more appropriately classified as investigations then inspections and are missing in our analysis.

These activities are likely occurring. However, our review of case files recorded all activity as documented by housing inspectors. If this type of investigation activity is occurring it is not being documented. Housing inspectors should be recording all related field activity for each case and general field activity which may not be directly related to specific cases. This would not only provide a more complete picture of each housing inspector's workload but would result in case files that are more thorough and better documented. In order for this to

occur, the current case file management system would need to be modified and it is recommended that this occur in Section 3.

### **Impact on Enforcement Activity**

It also should be noted that 44 percent of all cases are coded no action taken/needed. A review of such cases shows that these cases need on average only one inspection. As stated above, 65 percent of these cases were closed within 10 days. The number of inspections that could occur during that time frame is minimal. If these 2,414 cases are counted as having only one inspection and we assume that each housing inspector is conducting six inspections per day, then the remaining 3,070 cases would have had on average close to nine inspections each. If the average number of inspections is eight per day, then the average number of inspections on the remaining cases would be 12 inspections per case.

The case files do not indicate that enforcement cases are receiving nine to 12 inspections each. As noted above, Notice to Abate and HAAB 39 enforcement cases average approximately three initial inspections each and substandard cases (which can include enforcement cases or seriously debilitated buildings) average five additional inspections each. However, there is evidence that enforcement cases are allowed to proceed for extended time periods, especially substandard cases, and it may be possible that housing inspectors are conducting numerous, unrecorded field inspections during this extended enforcement period. If a significant number of unrecorded field visits are occurring for enforcement cases, this is an indication that Housing Conservation enforcement procedures are lax and housing inspectors need greater supervision and accountability to insure compliance in a timely manner. This topic is more fully discussed in Section 11.

### **Comparisons With Other Jurisdictions**

As part of this report, other comparable jurisdictions were surveyed and asked to provide data on code enforcement activity, staffing levels, and workload. Making comparisons between code enforcement activity and workload between Oakland and other jurisdictions is difficult because of different approaches to code enforcement and variations between the ordinances enforced by each jurisdiction. Additionally, the data discussed below was not independently verified.

Survey responses were analyzed to determine the number of inspections per code enforcement officer. Only three jurisdictions provided enough detailed information on the number of inspections conducted by code enforcement officers. These three cities were Long Beach, Pasadena and Anaheim. The average number of inspections per inspector per year in these jurisdictions was 1,900 or approximately eight per day. This is approximately 33 percent more than what was estimated by the Housing Conservation Section in their reply to the survey and approximately 200 percent more than our estimate of housing inspector field activity. It should be noted that these jurisdictions provided detailed workload reports that contained complaint, inspection, and reinspection data in both monthly and annual reports.



## Improving Housing Inspector Field Accountability

In part, this analysis estimating housing inspector field activity was conducted because Housing Conservation managers could not provide any separate documentation of such activity. Our conclusion is that the workload documented in the case files is significantly short of what should be occurring. If the average of eight inspections per day is used, which is similar to three other surveyed California jurisdictions, then the current caseload could be handled by one-third the existing housing inspector staff.

It is acknowledged that this estimating procedure most likely understates workload to some degree. Therefore, we hesitate to recommend that positions be eliminated at this time. However, it is important that Housing Conservation Section managers implement a number of procedures to increase field accountability of housing inspectors. Housing Conservation should require housing inspectors to submit proposed schedules of daily field activity and to keep field logs that document actual daily inspection activity and includes time spent on each inspection, reasons for cancelled inspections and other field activity. This would greatly increase field accountability and provide supervisors and managers with data on housing inspector workload. The information gained through the implementation of this system should be used by the Housing Manager to present a report to the City Manager by January 1, 1992 that documents housing inspector field activity and workload. This report can then be used by the City Manager's Office to review Housing Conservation personnel needs.

In order to implement a field accountability system which requires inspectors to keep logs of daily activity it will be important to insure adequate supervision of housing inspectors. Section 3 of this report contains recommendations for a field supervision program that would include unannounced ride-alongs by supervisors, follow-up visits to verify appropriateness of housing inspector action and auditing of case files.

As noted in Section 3, the Inspection Services Unit of the Development Controls Department uses an automated system for inspector scheduling and log sheets to document inspector activity. Although there are differences in the activities of building and housing inspectors, Housing Conservation should consider adopting a similar system for their own use.

## Assumption of Additional Responsibilities

Section 1 of this report details a number of recommended organizational changes concerning code enforcement activities in the City of Oakland. It is recommended that a number of code enforcement functions currently scattered through a number of City departments be consolidated into one organization. Functions that would be transferred include building code enforcement activities currently performed by inspectors in the Inspection Services Unit of the Development Services Department and abandoned automobile abatement performed by the Police Department.

We recommend that these duties be assumed by current Housing Conservation staff. Currently, investigations of illegal building activity are being conducted by two building inspectors who issue "Stop Work Orders" to abate illegal construction. This function could be performed by housing inspectors whose efforts would be supplemented by building inspectors during periods of the year when construction activity is less.

Abandoned vehicle abatement on private property is currently being performed by one police officer. Historically, this function has been performed by the Police Department and certain legal requirements concerning disposal of automobiles has kept this function under Police Department jurisdiction. Under provisions of the blight ordinance, housing inspectors have the authority to abate abandoned motor vehicles on private property and should use this authority to assume this responsibility, although some support would still need to be provided by the Police Department. Some legal provisions may need to be changed to allow Housing Conservation to assume this function. Police Department representatives are concerned that even if this program is transferred to the new organization that they would still be required to support housing inspector activities and that this would be an unnecessary duplication of staff effort.

Other functions which should be considered by the City as appropriate for HCS housing inspectors, would be an expansion neighborhood clean-up efforts presently performed by OPW.

Actual recommendations for the transfer of both these functions are presented in Section 1. We believe that these duties, which would represent less than a ten percent increase in housing inspector workload (as defined by personnel currently responsible for these activities), can be assumed by housing inspectors without an impact on current productivity.

## Conclusion

An analysis of Housing Conservation housing inspector workload reveals that the field inspection activity documented in the case files is insufficient for the current number of housing inspectors. Housing Conservation managers and staff state this occurs because a significant percentage of field activity is not recorded in case files due to the current case management system, and general housing inspector investigation activities are not recorded in case files. It is acknowledged that case activity is likely greater than indicated in the case files. However, if this is occurring, then enforcement cases are receiving an excessive number of inspections. This issue which is more fully discussed in Section 11.

Housing Conservation managers need to implement a system that increases housing inspector field accountability and that would include daily logs of proposed and actual field activity. This needs to be accompanied by increased field supervision of housing inspector activity.



### Recommendations With No New Costs

The Housing Manager should:

- 10.1 Develop a program to increase field accountability of housing inspectors that would required housing inspectors to keep logs of both proposed and actual field inspection activities.
- 10.2 Prepare a report for the City Manager by January 1, 1992 that documents what field accountability system has been implemented and detailing housing inspector field activity and workload.

The City Manager should:

- 10.3 Accept and review the report submitted by the Housing Manager which would document the implemented field accountability system and provide data on housing inspector field activity and workload.

### Costs and Benefits

These recommendations could be implemented at no additional cost and would result in increased housing inspector field accountability which and increased operational efficiencies.

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## SECTION 11: HOUSING CONSERVATION ENFORCEMENT PROCEDURES

HOUSING CONSERVATION SECTION ENFORCEMENT PROCEDURES ARE INCONSISTENTLY APPLIED BY HOUSING INSPECTORS AND DO NOT OCCUR WITHIN STATED ENFORCEMENT TIME FRAMES. CONSEQUENTLY, ENFORCEMENT DOES NOT OCCUR IN A TIMELY MANNER, VARIES BY HOUSING INSPECTOR AND RESULTS IN REDUCED CITY REVENUE. THE CITY OF OAKLAND SHOULD DEVELOP DETAILED POLICIES AND PROCEDURES FOR CODE ENFORCEMENT PROCEDURES THAT INSURE THAT ALL HOUSING INSPECTORS APPLY ENFORCEMENT PROCEDURES IN AN EQUAL AND JUDICIOUS MANNER. IF SUCH PROCEDURES ARE ADOPTED, CASES WOULD BE RESOLVED IN A MORE EXPEDITIOUS MANNER AND THE CITY COULD REALIZE INCREASED ANNUAL REVENUES.

The Office of Community Development Housing Conservation Section is the principal code enforcement agency within the City of Oakland. Housing Conservation has primary authority for enforcing the Housing Code, the Blight Ordinance and the Zoning Ordinance. Based on 1990 Request for Service (RFS) caseload figures, approximately 58 percent of all cases were for sanitation or blight violations, 29 percent were for housing code violations, five percent were for zoning violations and nine percent fit into miscellaneous categories.

### Housing Conservation Enforcement Procedures

Housing inspector workload is primarily complaint generated. Complaints are processed by clerical staff who refer each RFS to the appropriate supervisor for distribution to the housing inspectors. After a housing inspector receives a RFS complaint form from his or her supervisor, that inspector investigates the complaint to determine if the complaint is warranted and requires further action. The Housing Conservation performance standard for conducting the initial investigation of all complaints is three working days. Based on a review of the automated complaint tracking system over 85 percent of all cases are investigated within this time frame with an average response time of 2.4 days. Housing Conservation staff assure that the vast majority of public complaints are initially investigated in a timely manner.

The enforcement procedures used by Housing Conservation staff to attempt to abate violations have changed over time. During the 1970's the principal enforcement method to obtain compliance was by charging recalcitrant owners with a misdemeanor and referring cases to the District Attorney for criminal prosecution. However, increases in court calendars led the District Attorney to consider such cases a lower priority and the misdemeanor process no longer is used as an enforcement tool.

During the early 1980's Housing Conservation moved to an infraction citation process. This procedure required that the housing inspector issue a citation, which was then signed by the violator. However, in many instances the violator refused to sign the citation, requiring intervention by police officers. This system was frustrating and required housing inspectors to spend considerable amounts of time trying to locate violators and get them to sign citations<sup>1</sup>. The use of the courts to abate housing violations, which required the scheduling of court procedures, also led to long enforcement time frames, which were not considered expedient.

### **Current Enforcement Procedures**

Because of the difficulties described above, Housing Conservation has adopted a number of different enforcement tools to insure compliance with the codes. The citation process is still used for non-property owner violations but a system of fee-charged reinspections has been adopted to obtain compliance from property owners. This system of fee-charged reinspections is a system of charging property owners a fee (currently \$150) whenever multiple inspections are required to obtain compliance. Housing Conservation will also contract directly to clean or board-up properties at property owner expense. For more serious violations, Housing Conservation uses the substandard, public nuisance and, when necessary, demolition procedures outlined in the Housing Code. Each of these enforcement procedures (with the exception of the citation process) and related findings, conclusions and recommendations are described below. Flowcharts of Housing Conservation Section complaint abatement procedures and substandard housing procedures are located in Appendix 11.1 and Appendix 11.2, respectively.

There are some general comments on Housing Conservation enforcement procedures that should be made before a discussion of each enforcement method. As noted in Section 10 of this report, approximately 44 percent of all RFS do not require enforcement by the housing inspectors. Of the remaining 56 percent of cases, approximately 66 percent of the violations are quickly abated and do not require extended enforcement action. The remaining cases, which approximate only 19 percent of the entire caseload, require lengthier enforcement proceedings. Therefore, it is only a small percentage of all complaints that require significant enforcement action; the vast majority of cases require no enforcement or compliance is obtained with minimum enforcement action by the housing inspectors.

It was noted in Section 3 of this report that Housing Conservation supervisors and inspectors are not satisfied with the current case management system used by Housing Conservation. This system does not provide adequate information for staff in preparing enforcement cases and the forms used for the system do not provide staff with enough space to document housing inspector

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<sup>1</sup> Enforcement history background from Memorandum to the City Manager from the Director of the Office of Community Development, 1988



actions. This has a serious impact on enforcement activity. Because the form does not have sufficient space to document case activity there is not sufficient documentation of actions taken by the housing inspector to insure compliance. This can result in the housing inspector missing callback dates or not documenting a field inspection.

More significantly, Housing Conservation supervisors and inspectors have stated that this lack of documentation makes some housing inspectors hesitant to advance some cases, primarily those that are going before the Housing Advisory and Appeals Board (HAAB). These cases require that a history of case action be prepared which details all enforcement actions taken. Because such documentation is not always sufficiently noted, housing inspectors are occasionally placed in the position of having to recreate what actual enforcement actions had been taken. Recommendations to insure that this does not occur are more fully discussed in Section 10.

### **Fee-Charged Reinspections**

The primary enforcement mechanism is fee-charged reinspections. This procedure allows the violator one specified callback to determine if compliance has been met or is reasonably in progress. According to procedure, after that point any additional reinspections by the housing inspector will result in a \$150 fee being charged to the owner. If fees are not paid, the owner's property is liened and the reinspection fees are added to the owner's property tax bill. The goal of the fee-charged reinspection program is not to raise revenue for the City, but to create an incentive for property owner's to abate violations. The advantage of the fee-charged reinspection is that it does not require the owner's complicity like the citation process. A drawback to this procedure is that it is not effective for complaints against non-property owners.

Housing Conservation guidelines for use of the fee-charged reinspection program state that the program is intended to be "an absolute system in order to eliminate or minimize the potential for [enforcement] inconsistencies."<sup>2</sup> Initially, it was intended that fee-charged reinspections would be charged once a month until compliance. This policy has been changed to allow for charges to be applied twice a month. In setting up the fee-charge reinspection system it has been acknowledged that for the system to function correctly, housing inspectors need to make and keep a tight call-back schedule.

Despite a stated commitment to use the fee-charged reinspection system as a primary enforcement mechanism, its actual use has been minimal. There were only 153 fee-charged reinspections in Fiscal Year 1989-90 (for revenues of \$22,950) and the projection for Fiscal Year 1990-91 is for 270 fee-charged reinspections (revenues of \$40,400). In interviews with Housing Conservation inspectors and supervisors it was widely acknowledged that the fee-charged reinspection process is underutilized, used by some inspectors frequently and by other inspectors not at

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<sup>2</sup> Ibid

all, and that no procedures are in place to insure fair and consistent use by inspectors.

The case sample selected from 1990 RFS complaints was used to analyze the potential for increased use of fee-charged reinspections. This analysis was based on a small number of cases and does not represent a statistically significant sample. However, it does provide some indication of the number of fee-charged reinspections that could be charged and provides an estimate of the revenues that would be available to the City if this system received more widespread use by housing inspectors.

There were 19 properties in the case sample for which owners were sent a notice to abate violations. Case data was available for 16 of those cases. Of these 16 cases, only one had been charged a fee-charged reinspection. Analysis of the case files indicated that an additional six of the 16 RFS (38 percent) had the potential to be billed for fee-charged reinspections and that a total of 33 fee-charged reinspections could have been charged for those six cases if they had been inspected twice a month until the case was abated. Although only 38 percent of the cases could have received fee-charged reinspections, there was an average of approximately two possible fee-charged reinspections for each of the 16 cases in the sample. With a total of 1,119 cases in 1990 in which a notice to abate was issued this would mean the potential for 2,238 fee-charged reinspections. At a charge of \$150 per inspection this would represent a potential of \$335,700 annually in revenues. The potential of 2,238 fee-charged reinspections would represent about an 800 percent increase from the estimated number of fee charged inspections for FY 1990-91.

These revenue figures are overstated for two reasons. One, it is likely that a number of these fee-charged reinspections would not occur because the property owner would abate the violation to prevent further charges. It is difficult to estimate how this would affect potential revenues. One possible indicator is that FY 1989-90 Housing Conservation data shows that there were approximately 3.6 fee-charged reinspections for each cited property owner. The potential fee-charged reinspections in the case sample show a potential of 5.5 inspections for each owner. This is approximately a 50 percent difference and would adjust the revenue estimate down to \$219,730.

Another reason revenues could be lower is that housing inspectors in certain cases do not believe charging a fee-charged inspection is always the best way to insure owner compliance. There are many property owners in Oakland who are either on limited incomes and/or would find it difficult finding another place to live if evicted from their property. On a field visit with one housing inspector to a seriously debilitated property, the housing inspector stated that he should really be charging fee-charged inspections but that he felt it was of no use to charge the property owner for these inspections since the owner is on limited income and it would be preferable for the owner to invest limited funds in rehabilitating the property. This is a valid determination, but Housing Conservation managers and supervisors should develop specific criteria that would provide for the waiving of such fees. Currently, there are no such procedures and the decision on whether to apply fee-charged reinspection fees is



at the discretion of the individual housing inspector upon consultation with their supervisor.

This revenue estimate is also conservative for two reasons. One, the estimate does not include the \$85 lien fee that can be charged owners who do not pay their accrued fees. Also the analysis does not include an evaluation of potential revenues from the enforcement of substandard cases. Although these cases represent a small percentage of total caseload, these cases require significant numbers of reinspections, increasing the need to charge for additional reinspections.

It is acknowledged by Housing Conservation staff that the fee-charged reinspection system could and should be more widely used. A 1988 memo to the City Manager's Office estimated that 1,500 fee-charged reinspections were possible. This estimate was based on a caseload 10 percent lower than that for 1990 but it estimated a potential for fee-charged reinspections more than 400 percent higher than that estimated by the Department for FY 1990-91. It is management's responsibility to generate and enforce procedures that would insure that fee-charged reinspections are an effective enforcement tool. Such developed policies and procedures would be an essential part of the recommendation made earlier in this report that Housing Conservation develop a comprehensive policy and procedures manual.

More widespread use and consistent application of the fee-charged reinspection system would focus enforcement on the small percentage of owners who consistently refuse to abate violations. These owners should have fee-charged inspections levied against them on a fixed schedule to set a clear example that repeat violators, no matter what housing inspector district they are located in, will be subject to the same vigorous enforcement procedures. The current system does not insure this is occurring with the de facto result that what enforcement measures a property owner is subject to are a function of the housing inspector district where the subject property is located.

### **Cleanup/Boardup of Properties**

Housing inspectors issue a notice to abate for properties that are unsecured, overgrown with weeds or littered with garbage and debris. This notice to abate, which is called a "HAAB 39" notice, provides the property owner with ten days to correct the violation or the property will be cleaned and/or secured by City-hired contractors. The charge to the property owner includes the contractor's cost of cleaning the property plus a \$250 administrative fee to cover City costs. If the property owner does not directly pay the City within five days of the notice, a lien against the property is recorded with the Alameda County Recorder's Office. During 1990 there were 1,478 HAAB 39 cases, approximately 27 percent of the Housing Conservation Section's workload.

Each HAAB 39 notice to abate sent to a property owner is a standard letter that states the date the inspector observed the violation, the owner's appeal rights, and notifies the owner of a fixed ten day period to abate the violation or the City will do the work through a contractor and bill the property owner for all charges.

The advantage of the HAAB 39 process is that if the property owner does not abate the violation, Housing Conservation can take the appropriate action to insure compliance and charge the property owner for that action.

An analysis of 22 HAAB 39 cases from the case sample revealed that inspectors do an adequate job of insuring that enforcement is conducted in the appropriate time frames. There was a variation in the stated ten day time frame, with only five of the 22 notice to abate letters giving the property owner the actual ten days. However, the average was slightly over 13 days and, given the fact that housing inspectors schedule the owner's appeal during weekdays only, some weekend time is likely accounted for in the total elapsed time. Additionally, in approximately 25 percent of the cases, the housing inspector followed-up on the case within the appeal period and determined that the violation had been abated and closed the case.

It was noted, however, that in four of the 22 cases (18 percent), abatement occurred in a significantly longer period of time. On average, these four cases took 55 days from the date of the initial RFS until abatement was achieved and the case was closed. An examination of Housing Conservation records for cleanup/boardup of properties revealed that the City did not have to contract for clean-up services for any of these four cases. Rather, these properties were eventually cleaned by the owners. If the same percentage of all HAAB 39 cases were subject to stricter enforcement standards (including direct clean-up by the City), then property owner compliance would have been achieved sooner for 266 of the 1,478 HAAB 39 cases. By charging the \$250 City administrative fee for properties which were cleaned directly by the City, \$66,500 in City revenues would have been collected.

### **Substandard Properties**

The Housing Code specifies a process for Housing Conservation staff to provide for the rehabilitation or demolition of properties that are in serious disrepair. A substandard building is one that is severely deteriorated, seriously damaged by fire, or one for which little progress has been made by the owner to rehabilitate previously recorded violations. If a housing inspector determines that one or more of the above conditions have been met, substandard actions can be initiated. These include conducting a complete survey of the building, sending a list of the resulting violations to the owner, and setting a hearing date before HAAB (see Appendix 11.2 for flowchart of substandard housing procedure).

If the building is declared substandard by HAAB, then the owner is given 45 days to begin repairs. When the work is completed, the owner contacts the housing inspector to arrange a meeting with the inspector to determine whether the repairs have been adequately completed. If the repairs have been adequately completed, the housing inspector will issue a certificate of occupancy. If the repairs have not been initiated within 45 days, the case is referred back to HAAB to be declared a public nuisance. Upon being declared a public nuisance, the owner is given an additional 45 days to begin rehabilitation. HAAB also has the option to declare a vacant building substandard and public nuisance simultaneously. If work has not begun after this time period then demolition



proceedings are initiated. The demolition period takes approximately 30 to 60 days to complete if the owner does not seek injunctive relief against the City. As can be seen, even compliance with the minimum time frames stated in the Housing Code can result in enforcement action taking five months from the date of the initial complaint to the point of demolition or rehabilitation of the building.

Based on a review of HAAB meeting minutes for 1990, the following actions occurred:

**Table 11.1**  
**Housing Advisory and Appeals**  
**Board 1990 Actions**

<u>HAAB Action</u>	<u># of Cases</u>
Declared Substandard	11
Declared Substandard/Public Nuisance	54
Declared Public Nuisance	6
Ordered Demolished	<u>28</u>
Total	99

Additionally, HAAB may grant extensions for cases in which it is felt the property owner should be given additional time to achieve compliance. During 1990, 23 such extensions were granted.

Housing Conservation procedures and records make it difficult to conduct a analysis of substandard case processing times. Additionally, the nature of such cases is that they are more complicated, involve more serious and costly action by the property owner, and a number of administrative steps. Because of this there is a greater variance in enforcement time frames by housing inspectors.

However, a number of points can be made concerning the enforcement of substandard cases by Housing Conservation staff. Performance standards developed for housing inspectors in regard to substandard cases are that each housing inspector should open, advance to the next stage, or close three substandard cases per month, or 36 per year. Records kept as part of the complaint tracking system indicate that no single inspector opened or closed more than 28 cases during 1990. The average for all 22 housing inspectors was approximately eight cases or only 22 percent of the performance standard. Eight of 22 housing inspectors (36 percent) opened or closed two or less substandard cases for the entire year<sup>3</sup>.

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<sup>3</sup> This estimate slightly underestimates housing inspector actions because it only includes substandard cases opened or closed and not those advanced during an intermediate enforcement step.

As stated earlier, the nature of substandard cases results in a wider variance in enforcement time frames. However, in interviews with Housing Conservation staff it was acknowledged by a number of individuals that adherence to the stated intervals in the Housing Code was not monitored and that increased monitoring by staff, supervisors, and managers would be appropriate. An analysis of all substandard cases which had a hearing before HAAB revealed that the average time from when the case was opened by the housing inspector for HAAB consideration and when HAAB eventually took action was 101 days for substandard cases and 93 days for cases declared both substandard and a public nuisance. These time frames are from when the point the case is being considered for substandard status and do not include the period of time from the initial complaint to the initiation of substandard action. These time frames are clearly longer than those required as part of the Housing Code.

An additional analysis of files for a small number of cases brought before HAAB showed widely varying enforcement time frames. In one case an initial HAAB 39 form was sent in April 1988, but the case was not brought before HAAB until April 1990. It is clear that greater emphasis on ensuring that substandard cases proceed in a timely manner is appropriate and necessary. Housing Conservation procedures should be developed which provide for regular notification that the appropriate time frame has expired for a given building and that the housing inspector should proceed to the next enforcement step.

While it is acknowledged that some housing inspectors work in districts that would have less substandard properties than other districts, there exists too much variance between the enforcement activities of individual housing inspectors. Four of the 22 housing inspectors accounted for nearly 50 percent of all substandard cases opened or closed. The net effect of such activity is that enforcement efforts vary throughout the City depending on which housing inspector district a property is located; this results in arbitrary enforcement which creates different standards for different neighborhoods.

During interviews with Housing Conservation staff it was stated that there are a significant number of properties, at least several hundred, that have been declared substandard and for which no additional action has been taken. Some of these properties had initial enforcement steps taken as far back as the 1970's. The justification for this is that Housing Conservation does not want to proceed with the final step of demolition if there is any hope that the property can be ultimately rehabilitated. However, during staff interviews it was stated that there are also a significant number of properties for which additional enforcement steps have simply not occurred. This was acknowledged in a 1988 memo to the City Manager from the Director of the Office of Community Development which stated that in order to expedite enforcement of substandard cases housing inspectors should spend time reviewing all cases that have been declared substandard and public nuisance and concentrate on having them rehabilitated or demolished. This procedure, according to staff interviews, is currently not occurring. The Housing Manager should prepare a list for the City Council of all properties declared substandard, substandard/public nuisance or a public nuisance before 1990 and detail the enforcement status and proposed resolution for each property. This list



should be presented within three months of this management audit report acceptance by the City Council.

### **Housing Appeals and Advisory Board (HAAB) Meetings**

Section 207 of the Housing Code creates a Housing Appeals and Advisory Board (HAAB) to consist of seven members who are residents of the City of Oakland. HAAB has the authority to consider written appeals and protests, to abate as a nuisance vacated dangerous and unsafe buildings, to grant variances from the Housing Code and to determine whether a residential building is a substandard residential building within the terms of the Housing Code. HAAB members are appointed by the City Council upon nomination by the Mayor or three members of the City Council and serve for a four year term. HAAB members receive no compensation.

The monthly meeting of HAAB is a key step in the enforcement process for those buildings in the substandard building process. Only HAAB has the authority to declare a building substandard, a public nuisance or order a building demolished. A review of HAAB meetings from January 1990 through May 1991 revealed that one meeting was canceled due to the earthquake, two were postponed from their original meeting time until later in the month due to a lack of a quorum (four members) and two were canceled because of lack of a quorum. These last two meetings were canceled in January and April 1991 and significant concern was expressed by Housing Conservation staff on the impact this would have on enforcement action.

A review of HAAB attendance records for the same time period showed that one position was first absent and then declared vacant for nearly every month. Of the other six HAAB members, only one had a perfect attendance record, and the other six members were absent, on average, 24 percent of the time. This does not include the months when no meetings were held. The presence of one vacancy over an extended period of time is not helpful to HAAB's efforts to enforce the Housing Code and the Mayor should nominate and the City Council approve an individual for this vacancy as soon as possible. The City Council may also want to consider providing greater oversight of HAAB member attendance by amending the Housing Code to reduce allowed absences for HAAB members<sup>4</sup> or consider providing compensation to encourage increased attendance.

### **Impact of Increased Enforcement**

Increased enforcement of the Housing Code and other codes enforced by Housing Conservation will undoubtedly have an impact throughout the City. There will be more complaints from individuals who feel they have not been treated fairly by the process and there will be a change in the attitude of the public

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<sup>4</sup> It should be noted that during the reviewed attendance period, that none of the six filled positions missed more than two consecutive HAAB meetings. The Housing Code provides for removal after missing four consecutive meetings.

towards the housing inspectors. Interviews conducted as part of this study reveal a perception by Housing Conservation staff and the public that the housing inspector role in the community is conciliatory, with an emphasis on working with property owners to achieve compliance rather than forcing compliance through strict sanctions. This would change with stricter and more timely enforcement of the Housing Code. Some of these issues are more fully addressed in Section 1 of this report concerning reorganization of the Housing Conservation Section.

Through the review of departmental correspondence and interviews conducted as part of this study, there was a widespread view that tougher enforcement was both desirable and necessary. During interviews, nearly all of the housing inspectors stated that they would favor increased enforcement as long as they were supported by management. Housing Conservation supervisors and managers acknowledged that enforcement activity could be increased but some expressed concern on the impact this would have in the community.

There is also support from both the City Manager's Office and the City Council for increased code enforcement. The City Manager was quoted in a 1988 memo from the Director of the Office of Community Development that enforcement action should be undertaken to the point that property owners complain as much as residents of the area. During interviews with City Council members, these same sentiments were repeated and members stated that they want stricter enforcement for violators that do not come quickly into compliance.

As noted above, extended enforcement action is only required for a small number of all complaints - approximately 20 percent - processed by Housing Conservation staff. These individuals in the community, who do not abate documented violations within required time frames, should be the focus of concerted enforcement activity. Based on the interviews conducted as part of this study this is acknowledged by those involved in every level of the process, from the housing inspectors to members of the City Council.

## Conclusion

Enforcement of the Housing Code and other codes enforced by the Housing Conservation Section is not occurring consistently or in a timely manner. Analysis of the principal enforcement tools used by the Section reveals that the use and timeliness of fee-charged reinspections, clean-up/board-up HAAB 39 notices, and the declaration of buildings as substandard and/or a public nuisance could be improved. The development of specific policies and procedures for the use of each enforcement mechanism, the tracking of cases that exceed enforcement time frames and active supervision by division management would greatly improve the efficiency of enforcement and result in additional revenues for the City. Increased enforcement activity, which would focus on enforcement on those who refuse to comply in a timely manner, would be supported by both Housing Conservation staff as well as City administrators. Such enforcement would insure not only more consistent use of enforcement mechanisms but consistent application of enforcement throughout the City.



## Recommendations With No New Costs

The Housing Manager should:

- 11.1 Develop detailed policies and procedures that state the time frames to achieve compliance for all Housing Conservation enforcement actions, state when exceptions to enforcement time frames would be granted, and develop meaningful performance and evaluative standards for all housing inspectors to insure that these policies and procedures are being followed.
- 11.2 Develop procedures to track when cases have exceeded developed time frames to insure that housing inspectors bring enforcement cases to a timely resolution.
- 11.3 Prepare a list of all properties declared substandard, substandard/public nuisance, or public nuisance before 1990, and detail the enforcement status and proposed resolution of each case. This list should be presented to the City Council within three months of the acceptance of this report.

The Mayor and City Council should:

- 11.4 Fill the current HAAB vacancy as soon as feasible to provide HAAB with a full membership of seven, consider changing the Housing Code to provide for less absences for HAAB members, and consider providing compensation to HAAB members to encourage attendance.

## Costs and Benefits

The implementation of increased enforcement measures could be accomplished without additional staff and would result in increased operating efficiency and customer service.

It is estimated that increased use of fee-charged reinspections and Housing Conservation to clean-up or board-up properties would result in additional annual revenues.

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# CITY OF OAKLAND PERMIT PROCESSING, CONSTRUCTION, AND CODE ENFORCEMENT SURVEY

## GENERAL INFORMATION

1. FOR THOSE DEPARTMENTS INVOLVED in permit processing, construction, and code enforcement in your jurisdiction, could you please submit the following materials to us along with your completed questionnaire:

YES      NO

A. An organization chart for your jurisdiction..... [ ]      [ ]

B. Number of staff authorized for Fiscal Year 1991 which are dedicated to permit processing, construction, and code enforcement..... [ ]      [ ]

C. Expenditure and revenue budget for your jurisdiction for the Fiscal Year 1991..... [ ]      [ ]

D. List of permit types and permit fee schedule..... [ ]      [ ]

E. Code enforcement mechanisms and fee schedule..... [ ]      [ ]

F. Building inspector and code enforcement classifications, salary ranges, and qualifications..... [ ]      [ ]

G. Workload activity reports..... [ ]      [ ]

H. Descriptive materials which illustrate how planning permit applications are processed (for example, variances, use permits, design review, and subdivision)... [ ]      [ ]

2. Do you use ICBO real estate valuation standards?

[ ] Yes

[ ] No      —————> What standards do you use? \_\_\_\_\_

Please provide a copy of your valuation schedule.

3. Do you provide handouts, summary materials, or short instructions to the general public?

[ ] Yes      —————> Please provide a copy of those materials.

[ ] No

PERMIT PROCESSING, CONSTRUCTION, AND CODE ENFORCEMENT SURVEY

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PERMIT PROCESSING

4. Which of the following systems best describes your jurisdiction's building permit application and plan review process?

- ☐ One Stop Permits: Permit processing performed by staff in one location.
- ☐ Central Plan Review: Plans reviewed at the same location by employees of multiple departments.
- ☐ Single Contact Point: The general public has a single contact point. Staff receive applications and issues permits but route plans to other departments for independent review and comment.
- ☐ Multiple Contacts Required: Customer has to submit their plans at multiple departments at multiple locations.

What department approvals are required for permit processing? (CHECK ALL THAT APPLY.)

- ☐ Building Inspection    ☐ Water    ☐ Sewer    ☐ Traffic    ☐ Health
- ☐ Fire    ☐ Zoning    ☐ Other \_\_\_\_\_

☐ Other Plan Review System (PLEASE DESCRIBE BELOW):

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PERMIT PROCESSING, CONSTRUCTION, AND CODE ENFORCEMENT SURVEY

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5. Would you describe your permit process as sequential or parallel — or is some of the process sequential and some of it parallel? By "sequential" we mean that permit processing occurs in a sequence of steps and that no step can be initiated until the previous step is completed. By "parallel" we mean that the permit processing steps are considered and approved concurrently. (PLEASE CHECK ONE BOX BELOW.)

☐ Sequential    ☐ Parallel    ☐ Both sequential and parallel

6. We would like to know the *AVERAGE NUMBER OF CALENDAR DAYS* it takes to approve specific types of permits for various types of construction. Consider only the time from receipt of the permit application to permit issuance. Please fill in the grid below. (For example, in the first empty box you would put the average number of days it takes to obtain *zoning design review approval* for a *new commercial building*. Please put "NA" in any box in the grid that is "not applicable" in your jurisdiction.)

	NEW COMMERCIAL BUILDING PERMITS	TENANT IMPROVEMENTS OF COMMERCIAL BUILDINGS	NEW RESIDENTIAL BUILDING PERMITS	RESIDENTIAL REMODELING AND ADDITIONS	ELECTRICAL, MECHANICAL, & PLUMBING (TRADE PERMITS)
ZONING DESIGN REVIEW					
COUNTER PERMIT					
TITLE 24 ENERGY CHECK					
ZONING REVIEW					
FIRE CODE COMPLIANCE					
PUBLIC WORKS SITE REVIEW					
ZONING PLAN CHECK					
BUILDING PLAN CHECK					
OTHER*: _____ _____					

\* For example, Health Department, Handicapped Access, Structural and Life Safety.

PERMIT PROCESSING, CONSTRUCTION, AND CODE ENFORCEMENT SURVEY

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7. What is the *AVERAGE NUMBER OF CALENDAR DAYS* it takes for approval of all necessary permits for the following types of construction? Please consider the time from the initial permit application to the final approval of all required permits. (PLEASE FILL IN THE GRID BELOW.)

	NEW COMMERCIAL BUILDING PERMITS	TENANT IMPROVEMENTS OF COMMERCIAL BUILDINGS	NEW RESIDENTIAL BUILDING PERMITS	RESIDENTIAL REMODELING AND ADDITIONS	ELECTRICAL, MECHANICAL, & PLUMBING (TRADE PERMITS)
TOTAL APPROVAL TIME (ALL PERMITS)					

8. The City of Oakland has a tree preservation ordinance which requires a permit to remove a tree. Does your jurisdiction have any special or unusual ordinances like this? If so, please describe them below (for example, Shoreline Development, Hillside, View Preservation, etc).

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PLEASE CHECK "YES" OR "NO" FOR EACH OF THE FOLLOWING QUESTIONS:

- |   | YES | NO  |
|---|-----|-----|
| 9. Do you have written standards for plan review quality? .....                                 | [ ] | [ ] |
| 10. Do you use plan review check lists? .....   | [ ] | [ ] |
| 11. Are plans rechecked? .....  | [ ] | [ ] |
| 12. Do you have a designated Project Coordinator...   |     |     |
| ...to assist during the plan review stage? .....  | [ ] | [ ] |
| ...to assist during the construction/inspection stage? .....                                    | [ ] | [ ] |
| 13. Do you issue permits for fast track construction before<br>all drawings are complete? ..... | [ ] | [ ] |
| 14. Do you issue permits for "red marked" plans? .....  | [ ] | [ ] |
| 15. Do you require plan corrections and resubmitting<br>of plans before permit issuance? .....  | [ ] | [ ] |
| 16. Do you contract out any plan review<br>or inspection services? .....                        | [ ] | [ ] |



PERMIT PROCESSING, CONSTRUCTION, AND CODE ENFORCEMENT SURVEY

PAGE 5

17. Which departments within your jurisdiction are responsible for the following functions associated with the building permit process? (IF FUNCTION IS NOT PERFORMED IN YOUR JURISDICTION, WRITE "NA" IN THE BLANK.)

Design Review: \_\_\_\_\_

Fire Code Compliance: \_\_\_\_\_

Zoning/Setbacks: \_\_\_\_\_

Title 24 Energy Check: \_\_\_\_\_

Building Plan Check: \_\_\_\_\_

Site Review: \_\_\_\_\_

Permit Inspections: \_\_\_\_\_

Zoning Compliance Inspections: \_\_\_\_\_

18. What other city departments are involved in your permit process for a commercial building or structure? (PLEASE CHECK ALL THAT APPLY.)

☐ Water ☐ Sewer ☐ Traffic ☐ Health ☐ Fire ☐ Zoning  
☐ Engineering ☐ Redevelopment Agency ☐ Other \_\_\_\_\_

19. Do you have a program to identify and abate illegal construction? (PLEASE CHECK ONE BOX BELOW.)

☐ Yes ☒ No → Does this include weekend inspection enforcement? (PLEASE CHECK ONE BOX BELOW.)

☐ Yes ☐ No

PERMIT PROCESSING, CONSTRUCTION, AND CODE ENFORCEMENT SURVEY

PAGE 6

AUTOMATION

20. Do you have an automated system for tracking permit processing and inspection scheduling?

☐ Yes =====> Was the system developed in-house,  
or did you purchase it "off the shelf"?

☐ No

☐ In-house

☐ Off the shelf =====> Could you tell us the name of the  
program, how much it cost, the  
name of the software company, and  
its phone number?

Name of program: \_\_\_\_\_

Cost: \_\_\_\_\_

Company: \_\_\_\_\_

Phone Number: \_\_\_\_\_

21. (PLEASE ANSWER THIS QUESTION ONLY IF YOUR DEPARTMENT UTILIZES AUTOMATION.)  
Does the public have access to the automated system for determining the status  
of a permit request or the scheduling of an inspection?

☐ Yes ☐ No

INSPECTION

22. What procedures are in place to ensure quality of inspections? (PLEASE CHECK  
ALL THAT APPLY.)

☐ Routine Reinspections

☐ Complaint Investigation

☐ Spot Checks

☐ Inspection Checklists

☐ Rotation of Inspectors

☐ Other (Please specify:)

☐ Ride Alongs By Supervisor

23. With regard to *NEW CONSTRUCTION*, what is your average response time to requests  
for inspections? (PLEASE CHECK ONE BOX BELOW.)

<u>SAME</u> <u>DAY</u>	<u>NEXT</u> <u>DAY</u>	<u>2-4</u> <u>DAYS</u>	<u>5-7</u> <u>DAYS</u>	<u>OVER 7</u> <u>DAYS</u>
---------------------------	---------------------------	---------------------------	---------------------------	------------------------------

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
--------------------------	--------------------------	--------------------------	--------------------------	--------------------------



PERMIT PROCESSING, CONSTRUCTION, AND CODE ENFORCEMENT SURVEY

PAGE 7

24. Do you have combination inspectors?

☐ Yes -----> What duties or types of inspections do they perform?

☐ No

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25. For each of the following types of inspectors, could you please specify...

A. The average number of inspections per inspector per day, and

B. The average time (in minutes) it takes to complete an inspection, including travel time.

(PLEASE PUT "NA" ON ANY LINE THAT IS "NOT APPLICABLE" IN YOUR JURISDICTION.)

	AVERAGE NUMBER OF INSPECTIONS PER INSPECTOR PER DAY	AVERAGE TIME PER INSPECTION (IN MINUTES)
Combination Inspector	<hr/>	<hr/>
Building Inspector	<hr/>	<hr/>
Plumbing Inspector	<hr/>	<hr/>
Mechanical Inspector	<hr/>	<hr/>
Electrical Inspector	<hr/>	<hr/>
Housing Inspector	<hr/>	<hr/>
Zoning Inspector	<hr/>	<hr/>

26. How do you measure or count an "inspection"? (PLEASE CHECK ONE OF THE FOLLOWING.)

☐ Per unit of time -----> Approximately how many minutes equals one inspection?

☐ Per stop (regardless of time spent or number of permits serviced) \_\_\_\_\_ MINUTES

☐ Per permit serviced (multiple permits per stop = multiple inspections)

☐ Per item viewed (may be multiple inspections per permit per stop)

☐ We do not measure or count "inspections"

PERMIT PROCESSING, CONSTRUCTION, AND CODE ENFORCEMENT SURVEY

PAGE 8

CODE ENFORCEMENT

27. Do you have a single, specific department which handles code enforcement?  
(PLEASE CHECK ONE.)

☐ Yes ———> What is that department called?

☐ No ———> What departments handle code enforcement and  
what codes does each enforce?

<u>DEPARTMENT NAME</u>	<u>CODE(S) ENFORCED</u>

28. Does your jurisdiction have a specific office or department (for example, an Ombudsman) which handles all code violation complaints from the general public?  
(PLEASE CHECK ONE.)

☐ Yes ———> What is that office or department called? \_\_\_\_\_

☐ No \_\_\_\_\_

29. Considering all code violation complaints, about what percent come externally from the general public and what percent come internally from staff. (PLEASE FILL IN THE PERCENTS.)

\_\_\_\_\_ % externally from general public

\_\_\_\_\_ % internally from staff

\_\_\_\_\_ % internally from other departments within your jurisdiction

100%



PERMIT PROCESSING, CONSTRUCTION, AND CODE ENFORCEMENT SURVEY

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30. (ANSWER THIS QUESTION ONLY IF YOU HAVE INTERNAL, STAFF-GENERATED CODE VIOLATION COMPLAINTS.)  
Are your internal, staff-generated code violation complaints the result of a systematic code enforcement process? (PLEASE CHECK ONE.)  
[ ] Yes ———> Please describe your code enforcement system. \_\_\_\_\_  
[ ] No \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
31. What was the total number of code violation complaints in your jurisdiction during the last fiscal year *FOR HOUSING*? (PLEASE FILL IN THE NUMBER.)  
\_\_\_\_\_  
—————> About what percent of these complaints actually resulted in inspections? (PLEASE FILL IN THE PERCENT.)  
\_\_\_\_\_ %  
About what percent of these complaints resulted in citations for code violations? (PLEASE FILL IN THE PERCENT.)  
\_\_\_\_\_ %
32. What was the total number of code violation complaints in your jurisdiction during the last fiscal year *FOR BLIGHT CONDITIONS*? (PLEASE FILL IN THE NUMBER.)  
\_\_\_\_\_  
—————> About what percent of these complaints actually resulted in inspections? (PLEASE FILL IN THE PERCENT.)  
\_\_\_\_\_ %  
About what percent of these complaints resulted in citations for code violations? (PLEASE FILL IN THE PERCENT.)  
\_\_\_\_\_ %
33. What was the total number of code violation complaints in your jurisdiction during the last fiscal year *FOR ZONING*? (PLEASE FILL IN THE NUMBER.)  
\_\_\_\_\_  
—————> About what percent of these complaints actually resulted in inspections? (PLEASE FILL IN THE PERCENT.)  
\_\_\_\_\_ %  
About what percent of these complaints resulted in citations for code violations? (PLEASE FILL IN THE PERCENT.)  
\_\_\_\_\_ %

PERMIT PROCESSING, CONSTRUCTION, AND CODE ENFORCEMENT SURVEY

PAGE 10

34. What was the total number of code violation complaints in your jurisdiction during the last fiscal year *FOR BUILDING* (for example, illegal construction)? (PLEASE FILL IN THE NUMBER.)

\_\_\_\_\_ → About what percent of these complaints actually resulted in inspections? (PLEASE FILL IN THE PERCENT.)

\_\_\_\_\_ %

About what percent of these complaints resulted in citations for code violations? (PLEASE FILL IN THE PERCENT.)

\_\_\_\_\_ %

35. With regard to *CODE VIOLATIONS*, what is your average response time to citizen complaints? (PLEASE CHECK ONE BOX BELOW.)

SAME DAY	NEXT DAY	2-4 DAYS	5-7 DAYS	OVER 7 DAYS
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

36. Which types of citizen complaints receive the highest priority in terms of response time (for example, abandoned vehicles, unsecured holes in the ground, etc.)

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37. Which of the following code violation enforcement mechanisms do you use? (PLEASE CHECK ALL THAT APPLY.)

- ☐ Liens
- ☐ Citation
- ☐ Mediation
- ☐ Reinspection fees
- ☐ Condemnation and demolition
- ☐ Administrative hearings
- ☐ Filing of a criminal complaint for municipal code violations
- ☐ Other (Please specify:)

38. Are any of your City Attorneys assigned exclusively to code enforcement? (PLEASE CHECK ONE.)

- ☐ Yes → How many? \_\_\_\_\_
- ☐ No



## PERMIT PROCESSING, CONSTRUCTION, AND CODE ENFORCEMENT SURVEY

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39. Do you have code enforcement fees? (PLEASE CHECK ONE.)  
☐ Yes -----> At what point in the enforcement process are fees assessed?  
☐ No \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 How do you collect the fees? \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_
40. What methods, if any, do you use to recover costs for code enforcement actions? (PLEASE CHECK ALL THAT APPLY.)  
☐ Liens    ☐ Personal Obligations    ☐ Citations    ☐ Fee Charge  
☐ Other (Please specify:) \_\_\_\_\_  
 \_\_\_\_\_
41. What methods, if any, do you use to recover costs for inspections? (PLEASE CHECK ALL THAT APPLY.)  
☐ Towing Vehicles    ☐ Posting Properties    ☐ Hearings  
☐ Other (Please specify:) \_\_\_\_\_  
 \_\_\_\_\_
42. Are you providing training for your code enforcement employees with regard to... (PLEASE CHECK ONE BOX FOR EACH ITEM.)
- |   | YES                      | NO                       |
|---|--------------------------|--------------------------|
| ...Improving communications skills..... | <input type="checkbox"/> | <input type="checkbox"/> |
| ...Dealing with irate citizens.....     | <input type="checkbox"/> | <input type="checkbox"/> |
| ...Safety.....                          | <input type="checkbox"/> | <input type="checkbox"/> |
| ...Computers.....                       | <input type="checkbox"/> | <input type="checkbox"/> |
| ...Procedures.....                      | <input type="checkbox"/> | <input type="checkbox"/> |
| ...Laws and regulations.....            | <input type="checkbox"/> | <input type="checkbox"/> |
| ...Code interpretation.....             | <input type="checkbox"/> | <input type="checkbox"/> |
43. Does your code enforcement department(s) have a method for becoming aware of regular updates on code changes/code interpretations?  
☐ Yes    ☐ No

PERMIT PROCESSING, CONSTRUCTION, AND CODE ENFORCEMENT SURVEY

PAGE 12

44. Does your jurisdiction have any special programs designed to inform the general public about code enforcement and increase their satisfaction with it? Please describe.

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45. What code enforcement mechanisms do you believe are most effective?

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46. Please provide us with the name, title, and phone number for the managers with authority in the following areas:

Zoning:

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Phone Number: \_\_\_\_\_

Construction Inspection:

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Phone Number: \_\_\_\_\_

Building Permit Processing:

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Phone Number: \_\_\_\_\_

Housing Code Enforcement:

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Phone Number: \_\_\_\_\_

THANK YOU FOR YOUR HELP!



**City of Oakland**  
**Permit processing, Construction Inspection, & Code Enforcement**  
**Survey Summary - July 1991**

1) Do you use ICBO real estate valuation standards?

	<u>Yes</u>	<u>No</u>
Alameda County	1	
Anaheim	1	
Berkeley	1	
Contra Costa Co.	1	
Fresno	1	
Glendale	1	
Long Beach	1	
Pasadena	1	
Sacramento	1	
San Jose	1	
Santa Ana	1	
Oakland	1	

2) Do you provide handouts, summary materials, or short instructions to the general public?

	<u>Yes</u>	<u>No</u>
Alameda County	1	
Anaheim	1	
Berkeley	1	
Contra Costa Co.	1	
Fresno	1	
Glendale	1	
Long Beach	1	
Pasadena	1	
Sacramento	1	
San Jose	1	
Santa Ana	1	
Oakland	1	

**City of Oakland**  
**Permit processing, Construction Inspection, & Code Enforcement**  
**Survey Summary - July 1991**

3) Which of the following systems best describes your jurisdiction's building permit application and plan review process?

	<u>One Stop Permits</u>	<u>Central Plan Review</u>	<u>Single Contact Point</u>	<u>Multiple Contacts Required</u>
Alameda County	1			
Anaheim			1	
Berkeley			1	
Contra Costa Co.	1			1
Fresno			1	
Glendale		1		
Long Beach	1	1		
Pasadena			1	
Sacramento	1			
San Jose				1
Santa Ana			1	
Oakland			1	1

4) What department approvals are required for permit processing?

	<u>Building Insp.</u>	<u>Water</u>	<u>Sewer</u>	<u>Traffic</u>	<u>Health</u>	<u>Fire</u>	<u>Zoning</u>	<u>Other</u>
Alameda County	1					1	1	
Anaheim	1			1	1	1	1	1
Berkeley	1		1	1	1	1	1	1
Contra Costa Co.	1	1	1		1	1	1	
Fresno	1	1	1	1	1	1	1	1
Glendale		1	1	1		1	1	1
Long Beach	1	1	1	1	1	1	1	1
Pasadena	1	1	1	1	1	1	1	1
Sacramento	1							
San Jose	1	1	1	1	1	1	1	1
Santa Ana	1					1	1	1
Oakland	1		1	1	1	1	1	1



**City of Oakland**  
**Permit processing, Construction Inspection, & Code Enforcement**  
**Survey Summary - July 1991**

5) Would you describe your permit process as sequential or parallel -- or is some of the process sequential and some of it parallel? By "sequential" we mean that permit processing occurs in a sequence of steps and that no step can be initiated until the previous step is completed. By "parallel" we mean that the permit processing steps are considered and approved concurrently.

	<u>Sequential</u>	<u>Parallel</u>	<u>Both Sequential and Parallel</u>
Alameda County			1
Anaheim			1
Berkeley		1	
Contra Costa Co.			1
Fresno			1
Glendale			1
Long Beach		1	
Pasadena			
Sacramento			1
San Jose			1
Santa Ana			1
Oakland			1

City of Oakland

Permit processing, Construction Inspection, & Code Enforcement  
Survey Summary - July 1991

6) We would like to know the average calendar days it takes to approve specific types of permits for various types of construction. Consider only the time from receipt of the permit application to permit issuance. Please fill in the grid below. (For example, in the first empty box you would put the average number of days it takes to obtain zoning design review approval for a new commercial building. Please put "NA" in any box in the grid that is "not applicable" in your jurisdiction.)

A) New Commercial Building Permits

	Zoning Design Review	Counter Permit	Title 24 Energy Check	Zoning Review	Fire Code Compliance	Public Work Site Review	Zoning Plan Check	Bldg. Plan Check	Other
Alameda County			1		2	2		2-4	
Anaheim	17		3	21	3	14	14	21	
Berkeley	3-6 mos.	3-6 mos.	3 hrs.	3-6 mos.	3 weeks	1 week		1-2 mos.	
Contra Costa Co.	120-180	20		NA			25	20	
Fresno	43	30	30	30	30	30	10	30	
Glendale	56				3		1	4	14
Long Beach	2 weeks		2 days	4 weeks	2-4 weeks	1-3 days	4 weeks	4 months	
Pasadena					4-6 weeks			4 weeks	
Sacramento				6 months	35	35	35	35	
San Jose		same day			45 days				
Santa Ana	3 mos.							4-6 week	2-8 wee
Oakland	NR								

B) Tenant Improvements of Commercial Buildings

	Zoning Design Review	Counter Permit	Title 24 Energy Check	Zoning Review	Fire Code Compliance	Public Work Site Review	Zoning Plan Check	Bldg. Plan Check	Other
Alameda County						1			
Anaheim			1		1		1	7	
Berkeley	2 mos.	1 week	1 hr.	1 mo.	3 weeks	1 week		1 mo.	
Contra Costa Co.		1-3					1	1-3	
Fresno		18	18	18	18		18	18	
Glendale		1			1		1	1	7
Long Beach		Same Day	Same Day		5 days			Same Day	
Pasadena					2 weeks			2 weeks	
Sacramento		1 hour			4-14		4-14	4-14	
San Jose		same day			45 days				
Santa Ana		2 days				2-6 weeks		2-4 week	1-2week
Oakland	NR								



**City of Oakland**  
**Permit processing, Construction Inspection, & Code Enforcement**  
**Survey Summary - July 1991**

**C) New Residential Building Permits**

	<u>Zoning Design Review</u>	<u>Counter Permit</u>	<u>Title 24 Energy Check</u>	<u>Zoning Review</u>	<u>Fire Code Compliance</u>	<u>Public Work Site Review</u>	<u>Zoning Plan Check</u>	<u>Bldg. Plan Check</u>	<u>Other</u>
Alameda County			1		2	1		1	
Anaheim	17		3	21	3	14	14	21	
Berkeley		3-6 mos	1 hr.	3-6 mos.	3 weeks	1 week		2-4 mos.	
Contra Costa Co.		over counter					1	1-5	
Fresno	18	18	18	18	18	18	18	18	
Glendale	60				2		1	5	21
Long Beach	2 weeks		1 day	4 weeks	2 weeks	1-3 days	4 weeks	3 months	
Pasadena								2-4 weeks	
Sacramento	staff 21		7-14		7-14	7-14	7-14	7-14	
San Jose		same day			45 days				
Santa Ana	3 mos.							2-4 wks	2-4 wks
Oakland	NR								

**D) Residential Remodeling and Additions**

	<u>Zoning Design Review</u>	<u>Counter Permit</u>	<u>Title 24 Energy Check</u>	<u>Zoning Review</u>	<u>Fire Code Compliance</u>	<u>Public Work Site Review</u>	<u>Zoning Plan Check</u>	<u>Bldg. Plan Check</u>	<u>Other</u>
Alameda County			1			1		1	
Anaheim		1	1				1	1	
Berkeley		1 week	1 hr.	6 weeks	3 weeks	1 week		2 weeks	
Contra Costa Co.		over counter					1	counter	
Fresno		1-18	1-18	1-18		1-18	1-18	1-18	
Glendale	60				1		1	2	21
Long Beach		Same Day	Same Day	Same Day		Same Day	Same Day	Same Day	
Pasadena								2 weeks	
Sacramento	staff 21	1/2 hr.	4-10				4-10	4-10	
San Jose		same day			45 days				
Santa Ana		2 days						2-4 weeks	
Oakland	NR								

**City of Oakland**  
**Permit processing, Construction Inspection, & Code Enforcement**  
**Survey Summary - July 1991**

**E) Electrical, Mechanical, & Plumbing (Trade Permits)**

		<u>Zoning Design Review</u>	<u>Counter Permit</u>	<u>Title 24 Energy Check</u>	<u>Zoning Review</u>	<u>Fire Code Compliance</u>	<u>Public Work Site Review</u>	<u>Zoning Plan Check</u>	<u>Bldg. Plan Check</u>	<u>Other</u>
Alameda County				1			0		1	
Anaheim			1	1						
Berkeley			over counter						over counter	
Contra Costa Co.			over counter						over counter	
Fresno			1							
Glendale										
Long Beach			10 days	10 days					10 days	
Pasadena									1 day	
Sacramento										
San Jose			same day			45 days				
Santa Ana			same day						2-6 weeks	
Oakland	NR									

7) What is the average number of calendar days it takes for approval of all necessary permits for the following types of construction? Please consider the time from the initial permit application to the final approval of all required permits.

**A) Total Approval Time (All Permits)**

	<u>New Commercial Building Permits</u>	<u>Tenant Improvements of Commercial Buildings</u>	<u>New Residential Building Permits</u>	<u>Residential Remodeling and Additions</u>	<u>Electrical, Mechanical, &amp; Plumbing (Trade Permits)</u>
Alameda County	30	10	30	10	1
Anaheim	20	7	20	1	1
Berkeley	3-6 weeks	4-6 weeks	4-6 weeks	4-6 weeks	
Contra Costa Co.	20	3	1-5	1	1
Fresno	35	20	25	1-20	1
Glendale	78	11	89	85	20 mins.
Long Beach	3-4 mos.	same day	2-3 mos.	1 day	2 weeks
Pasadena					
Sacramento	40	13	14	4	NA
San Jose	NA	NA	NA	NA	NA
Santa Ana	4-6 weeks	2-4 weeks	2-4 weeks	1-2 weeks	2-6 weeks
Oakland					



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**8) Do you have written standards for plan review quality?**

	<u>Yes</u>	<u>No</u>
Alameda County		1
Anaheim	1	
Berkeley	1	
Contra Costa Co.		1
Fresno	1	
Glendale	1	
Long Beach		1
Pasadena		1
Sacramento		1
San Jose	1	
Santa Ana		1
Oakland		1

**9) Do you use plan review check lists?**

	<u>Yes</u>	<u>No</u>
Alameda County	1	
Anaheim	1	
Berkeley	1	
Contra Costa Co.		1
Fresno	1	
Glendale	1	
Long Beach	1	
Pasadena	1	
Sacramento		
San Jose		
Santa Ana		
Oakland		1

**10) Are plans rechecked?**

	<u>Yes</u>	<u>No</u>
Alameda County		1
Anaheim	1	
Berkeley	1	
Contra Costa Co.		1
Fresno	1	
Glendale	1	
Long Beach	1	
Pasadena	1	
Sacramento	1	
San Jose	1	
Santa Ana	1	
Oakland	1	

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11) Do you have a designated Project Coordinator

A) ... to assist during the plan review stage?

	<u>Yes</u>	<u>No</u>
Alameda County		1
Anaheim	1	
Berkeley	1	
Contra Costa Co.	1	
Fresno	1	
Glendale		1
Long Beach		1
Pasadena	1	
Sacramento	1	
San Jose	1	
Santa Ana	1	
Oakland	1	

B) ... to assist during the construction/inspection stage?

	<u>Yes</u>	<u>No</u>
Alameda County		1
Anaheim	1	
Berkeley		1
Contra Costa Co.	1	
Fresno		1
Glendale		1
Long Beach		1
Pasadena		1
Sacramento	1	
San Jose	1	
Santa Ana		1
Oakland		1

12) Do you issue permits for fast track construction before all drawings are complete?

	<u>Yes</u>	<u>No</u>
Alameda County	1	
Anaheim		1
Berkeley	1	
Contra Costa Co.	1	
Fresno		1
Glendale		1
Long Beach	1	
Pasadena		1
Sacramento	1	
San Jose		1
Santa Ana	1	
Oakland	1	



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13) Do you issue permits for "red marked" plans?

	<u>Yes</u>	<u>No</u>
Alameda County		1
Anaheim		1
Berkeley	1	
Contra Costa Co.	1	
Fresno	1	
Glendale		1
Long Beach		1
Pasadena		1
Sacramento	1	
San Jose	1	
Santa Ana		1
Oakland	1	

14) Do you require plan corrections and resubmitting of plans before permit issuance?

	<u>Yes</u>	<u>No</u>
Alameda County	1	
Anaheim	1	
Berkeley		1
Contra Costa Co.		1
Fresno		1
Glendale	1	
Long Beach	1	
Pasadena	1	
Sacramento	1	
San Jose		1
Santa Ana	1	
Oakland	1	

15) Do you contract out any plan review or inspection services?

	<u>Yes</u>	<u>No</u>
Alameda County		1
Anaheim		1
Berkeley	1	
Contra Costa Co.		1
Fresno	1	
Glendale	1	
Long Beach	1	
Pasadena	1	
Sacramento	1	
San Jose	1	
Santa Ana		1
Oakland	1	

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16) Which departments within your jurisdiction are responsible for the following functions associated with the building permit process? (If function is not performed in your jurisdiction, write "NA" in the blank.)

**A) Design Review:**

Alameda County	Public Works
Anaheim	Building Division
Berkeley	Zoning
Contra Costa Co.	Community Development/Planning
Fresno	Development Department Project Evaluation
Glendale	Permit Services - Planning
Long Beach	Planning/Zoning Administration
Pasadena	Planning, Urban Conservation
Sacramento	Planning Division/Building Division
San Jose	Planning
Santa Ana	Planning

Oakland

**B) Fire Code Compliance:**

Alameda County	Fire
Anaheim	Fire Department
Berkeley	Fire
Contra Costa Co.	Building Inspection/Fire Districts
Fresno	Fire Department
Glendale	Fire Prevention
Long Beach	Fire Department
Pasadena	Fire Department
Sacramento	Building Inspection Division
San Jose	Fire
Santa Ana	Fire Dept.

Oakland                      Fire Department

**C) Zoning/Setbacks:**

Alameda County	Planning
Anaheim	Zoning Division
Berkeley	Zoning
Contra Costa Co.	Community Development/Planning
Fresno	Development Department Project Evaluation
Glendale	Permit Services
Long Beach	Planning & Zoning
Pasadena	Planning
Sacramento	Building Inspection Division
San Jose	Establishment - Planning compliance, Neigh. Presv. - Bldg. Div.
Santa Ana	Planning

Oakland



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**D) Title 24 Energy Check:**

Alameda County	Building
Anaheim	Building Division
Berkeley	Building
Contra Costa Co.	Building Inspection
Fresno	Development Department - Building & Safety
Glendale	Permit Services
Long Beach	Building & Mechanical
Pasadena	Building, Development Processing
Sacramento	Building Inspection Division & Consultants
San Jose	Neigh. Presv. - Building Division
Santa Ana	State/N.A.

Oakland

**E) Building Plan Check:**

Alameda County	Building
Anaheim	Building Division
Berkeley	Building
Contra Costa Co.	Building Inspection
Fresno	Building & Safety
Glendale	Permit Services
Long Beach	Building
Pasadena	Building, Development Processing
Sacramento	Building Inspection Division
San Jose	Neigh. Presv. - Building Division
Santa Ana	Building Safety

Oakland

**F) Site Review:**

Alameda County	Public Works
Anaheim	Engineering Department
Berkeley	Building
Contra Costa Co.	Community Development
Fresno	Project Evaluation
Glendale	NR
Long Beach	Planning & Zoning
Pasadena	Code Compliance
Sacramento	Building Inspection Division
San Jose	Rezoning - Planning Dept.
Santa Ana	Planning

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**G) Permit Inspections:**

Alameda County	Building
Anaheim	Building Division
Berkeley	Building
Contra Costa Co.	Fire Districts, Building Inspection, Public Works
Fresno	Building & Safety
Glendale	Building Inspection
Long Beach	Building
Pasadena	Building, Building Code Enforcement
Sacramento	Building Inspection Division
San Jose	Rezoning - Planning Dept.
Santa Ana	Building Safety

Oakland

**H) Zoning Compliance Inspections**

Alameda County	Planning
Anaheim	Zoning Division/Code Enforcement Division
Berkeley	Zoning
Contra Costa Co.	Community Development
Fresno	Building & Safety
Glendale	Neighborhood Services
Long Beach	Planning & Zoning F/New Commercial and Multi-Unit Res. - Building F/Single Family Dwelling
Pasadena	Neighborhood Services, Code Compliance
Sacramento	Building (Permit Process) Neighborhood Service (on-going)
San Jose	Neigh. Presv. - Code Enforcement Division
Santa Ana	Planning/Building Safety

Oakland

**17) What other city departments are involved in your permit process for a commercial building or structure? (please check all that apply.)**

	<u>Water</u>	<u>Sewer</u>	<u>Traffic</u>	<u>Health</u>	<u>Fire</u>	<u>Zoning</u>	<u>Engrng</u>	<u>Redev. Agency</u>	<u>Other</u>
Alameda County					1	1	1		
Anaheim	1	1	1	1	1	1	1	1	1
Berkeley		1	1	1	1	1	1	1	1
Contra Costa Co.	1	1		1	1	1	1	1	
Fresno	1	1	1	1	1	1	1	1	
Glendale	1		1		1	1	1	1	1
Long Beach	1	1	1	1	1	1		1	1
Pasadena	1	1	1	1	1	1	1	1	
Sacramento	1	1	1	1			1	1	
San Jose	1	1	1	1	1	1	1	1	
Santa Ana	1	1	1		1	1	1	1	
Oakland									



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18) Do you have a program to identify and abate illegal construction?

	<u>Yes</u>	<u>No</u>
Alameda County		1
Anaheim	1	
Berkeley	1	
Contra Costa Co.	1	
Fresno	1	
Glendale	1	
Long Beach	1	
Pasadena		1
Sacramento	1	
San Jose	1	
Santa Ana	1	
Oakland	1	

A) Does this include weekend inspection enforcement?

	<u>Yes</u>	<u>No</u>
Alameda County		NR
Anaheim	1	
Berkeley		1
Contra Costa Co.		1
Fresno		1
Glendale		1
Long Beach	1	
Pasadena		
Sacramento		1
San Jose	1	
Santa Ana	1	
Oakland	1	

19) Do you have an automated system for tracking permit processing and inspection scheduling?

	<u>Yes</u>	<u>No</u>
Alameda County	1	
Anaheim	1	
Berkeley	1	
Contra Costa Co.	1	
Fresno		1
Glendale	1	
Long Beach	1	
Pasadena	1	
Sacramento	1	
San Jose		1
Santa Ana		NR
Oakland	1	

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**A) Was the system developed in-house or did you purchase it "off the shelf"?**

		<u>In-house</u>	<u>Off the Shelf</u>
Alameda County		1	
Anaheim		1	
Berkeley			1
Contra Costa Co.		1	
Fresno	NR		
Glendale			1
Long Beach			1
Pasadena		1	1
Sacramento		1	
San Jose	NR		
Santa Ana			1
Oakland		1	

**20) (Please answer this question only if your department utilizes automation.) Does the public have access to automated system for determining the status of a permit request or the scheduling of inspection?**

	<u>Yes</u>	<u>No</u>
Alameda County	1	
Anaheim		1
Berkeley		NR
Contra Costa Co.	1	
Fresno		NR
Glendale		1
Long Beach		1
Pasadena		1
Sacramento		1
San Jose		1
Santa Ana		1
Oakland		1

**21) What procedures are in place to ensure quality of inspections? (please check all that apply)**

	<u>Routine Reinsp.</u>	<u>Spot Checks</u>	<u>Rotation of Inspectors</u>	<u>Ride Alongs by Supervisor</u>	<u>Complaint Invest.</u>	<u>Insp. Checklists</u>	<u>Other</u>
Alameda County		1	1	1	1		
Anaheim	1	1	1	1	1		
Berkeley	1	1	1	1	1	1	1
Contra Costa Co.		1	1	1			
Fresno		1	1	1	1	1	1
Glendale	1		1	1	1	1	1
Long Beach		1	1	1	1		
Pasadena	1	1	1	1	1	1	
Sacramento		1	1	1	1		
San Jose		1	1	1	1		
Santa Ana	1	1	1	1	1		1
Oakland	1	1	1	1	1	1	



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22) With regard to new construction, what is your average response time to requests for inspections?

	<u>Same Day</u>	<u>Next Day</u>	<u>2-4 Days</u>	<u>5-7 Days</u>	<u>Over 7 Days</u>
Alameda County		1			
Anaheim		1			
Berkeley		1			
Contra Costa Co.		1			
Fresno	1	1			
Glendale		1			
Long Beach	1				
Pasadena		1			
Sacramento		1			
San Jose			1		
Santa Ana		1			
Oakland		1	1	1	

23) Do you have combination inspectors?

	<u>Yes</u>	<u>No</u>
Alameda County	1	
Anaheim		1
Berkeley	1	
Contra Costa Co.	1	
Fresno		1
Glendale	1	
Long Beach	1	
Pasadena	1	
Sacramento	1	
San Jose		1
Santa Ana		1
Oakland	1	Proposed.

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24) For each of the following types of inspectors, could you please specify. . .

a. The average number of inspections per inspector per day, and

b. The average time (in minutes) it takes to complete an inspection, including travel time.

(Please put "NA" on any line that is "not applicable" in your jurisdiction.)

**A) Combination Inspector**

		Average Number of Insp. Per Inspector Per Day	Average Time Per Inspect. (In Minutes)
Alameda County		15	20
Anaheim	NR		
Berkeley		12-15	15-30
Contra Costa Co.		17	90
Fresno	NR		
Glendale	NR		
Long Beach		17	
Pasadena		16-18	20-30
Sacramento		25	15
San Jose	NR		
Santa Ana	NR		
Oakland	NA		

**B) Building Inspector**

		Average Number of Insp. Per Inspector Per Day	Average Time Per Inspect. (In Minutes)
Alameda County	NR		
Anaheim		17	18
Berkeley		12-15	15-30
Contra Costa Co.	NR		
Fresno		14-15	28
Glendale	NR		
Long Beach		13	
Pasadena		12	20-30
Sacramento			
San Jose	NR		
Santa Ana		14	23
Oakland		14	15-20

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**C) Plumbing Inspector**

		Average Number of Insp. Per Inspector <u>Per Day</u>	Average Time Per Inspect. (In <u>Minutes</u> )
Alameda County	NR		
Anaheim		15	20
Berkeley	NR		
Contra Costa Co.		7	
Fresno		20	21
Glendale	NR		
Long Beach		9	
Pasadena		12	20-30
Sacramento	NR		
San Jose	NR		
Santa Ana		11	33
Oakland			

**D) Mechanical Inspector**

		Average Number of Insp. Per Inspector <u>Per Day</u>	Average Time Per Inspect. (In <u>Minutes</u> )
Alameda County	NR		
Anaheim		15	20
Berkeley			15-1 hr.
Contra Costa Co.			
Fresno		20	21
Glendale	NR		
Long Beach		9	
Pasadena		12	20-30
Sacramento	NR		
San Jose		30	20-30
Santa Ana	NR		
Oakland			



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**E) Electrical Inspector**

		Average Number of Insp. Per Inspector <u>Per Day</u>	Average Time Per Inspect. (In <u>Minutes</u> )
Alameda County	NR		
Anaheim		14	22
Berkeley	NR		
Contra Costa Co.		7	60
Fresno		11.5	33
Glendale	NR		
Long Beach		12	
Pasadena		12	20-30
Sacramento	NR		
San Jose		14	30
Santa Ana		15	22
Oakland			

**F) Housing Inspector**

		Average Number of Insp. Per Inspector <u>Per Day</u>	Average Time Per Inspect. (In <u>Minutes</u> )
Alameda County	NR		
Anaheim		10-12	15
Berkeley	NR		
Contra Costa Co.	NR		
Fresno		15	45
Glendale		18	20
Long Beach	NR		
Pasadena		11	30-32
Sacramento		10	30
San Jose	NR		
Santa Ana		8	41
Oakland		6	45

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**G) Zoning Inspector**

		Average Number of Insp. Per Inspector Per Day	Average Time Per Inspect. (In Minutes)
Alameda County	NR		
Anaheim		4	30
Berkeley	NR		
Contra Costa Co.		5	90+
Fresno		15	45
Glendale		22	10
Long Beach	NR		
Pasadena		11	30-32
Sacramento	NR		
San Jose	NR		
Santa Ana	NR		
Oakland			

**25) How do you measure or count an "inspection"?**

	Per unit of time	Per stop	Per permit serviced	Per item viewed	We do not measure or count Inspections
Alameda County		1			
Anaheim		1			
Berkeley		1			
Contra Costa Co.		1			
Fresno		1	1		
Glendale		1			
Long Beach		1	1	1	
Pasadena				1	
Sacramento				1	
San Jose		1	1		
Santa Ana				1	
Oakland		1		1	

**26) Do you have a single, specific department which handles code enforcement?**

	Yes	No
Alameda County		1
Anaheim	1	
Berkeley	1	
Contra Costa Co.		1
Fresno	1	
Glendale	1	
Long Beach	1	
Pasadena		1
Sacramento		1
San Jose	1	
Santa Ana	1	
Oakland	1	

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27) Does your jurisdiction have a specific office or department (for example, an Ombudsman) which handles all code violation complaints from the general public?

	<u>Yes</u>	<u>No</u>
Alameda County		1
Anaheim	1	
Berkeley	1	
Contra Costa Co.		1
Fresno	1	
Glendale	1	
Long Beach		
Pasadena		1
Sacramento		1
San Jose	1	
Santa Ana		1
Oakland		1

28) Considering all code violation complaints, about what percent come externally from the general public and what percent come internally from staff.

	<u>Externally from general public</u>	<u>Internally from staff</u>	<u>Internally from other departments within your jurisdiction</u>
Alameda County	99	0	1
Anaheim	85	10	5
Berkeley	93	5	2
Contra Costa Co.	85	5	10
Fresno	98	2	
Glendale	58	40	2
Long Beach	85	5	10
Pasadena	80	10	10
Sacramento	88	7	5
San Jose	84	14	2
Santa Ana	50	40	10
Oakland	88	10	2



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29) (Answer this question only if you have internal, staff-generated code violation complaints.)

Are your internal, staff-generated code violation complaints the result of a systematic code enforcement process?

	Yes	No	
Alameda County			NR
Anaheim			NR
Berkeley	1		
Contra Costa Co.		1	
Fresno		1	
Glendale	1		
Long Beach	1		
Pasadena	1		
Sacramento		1	
San Jose	1		
Santa Ana			NR
Oakland		1	

30) What was the total number of code violation complaints in your jurisdiction during the last fiscal year for Housing?

Alameda County	50
Anaheim	1532
Berkeley	550
Contra Costa Co.	1072
Fresno	1250
Glendale	1385
Long Beach	600
Pasadena	1265
Sacramento	680
San Jose	2016
Santa Ana	NR
Oakland	2956

A) About what percent of these complaints actually resulted in inspections?

Alameda County	10%
Anaheim	100%
Berkeley	97%
Contra Costa Co.	100%
Fresno	100%
Glendale	100%
Long Beach	100%
Pasadena	100%
Sacramento	100%
San Jose	100%
Santa Ana	NR
Oakland	100%

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**B) About what percent of these complaints resulted in citations for code violations?**

Alameda County	0%
Anaheim	12.66%
Berkeley	10%
Contra Costa Co.	25%
Fresno	NR
Glendale	85%
Long Beach	95%
Pasadena	90%
Sacramento	70%
San Jose	6.50%
Santa Ana	NR
Oakland	5%

**31) What was the total number of code violation complaints in your jurisdiction during the last fiscal year for Blight Conditions?**

Alameda County	50
Anaheim	22680
Berkeley	75
Contra Costa Co.	44
Fresno	NR
Glendale	2930
Long Beach	500
Pasadena	1265
Sacramento	20000
San Jose	1271
Santa Ana	NR
Oakland	3264

**A) About what percent of these complaints actually resulted in inspections?**

Alameda County	0%
Anaheim	100%
Berkeley	14%
Contra Costa Co.	100%
Fresno	NR
Glendale	100%
Long Beach	100%
Pasadena	100%
Sacramento	100%
San Jose	92%
Santa Ana	NR
Oakland	100%

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**B) About what percent of these complaints resulted in citations for code violations?**

Alameda County	NR
Anaheim	22%
Berkeley	1%
Contra Costa Co.	80%
Fresno	NR
Glendale	45%
Long Beach	95%
Pasadena	90%
Sacramento	10%
San Jose	1%
Santa Ana	NR
Oakland	5%

**32) What was the total number of code violation complaints in your jurisdiction during the last fiscal year for Zoning?**

Alameda County	NR
Anaheim	2139
Berkeley	NR
Contra Costa Co.	200
Fresno	1300
Glendale	393
Long Beach	1200
Pasadena	2316
Sacramento	2500
San Jose	1976
Santa Ana	NR
Oakland	251

**A) About what percent of these complaints actually resulted in inspections?**

Alameda County	NR
Anaheim	100%
Berkeley	NR
Contra Costa Co.	100%
Fresno	100%
Glendale	100%
Long Beach	100%
Pasadena	100%
Sacramento	100%
San Jose	92%
Santa Ana	NR
Oakland	100%



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**B) About what percent of these complaints resulted in citations for code violations?**

Alameda County	NR
Anaheim	2%
Berkeley	NR
Contra Costa Co.	0%
Fresno	NR
Glendale	50%
Long Beach	95%
Pasadena	90%
Sacramento	2%
San Jose	0.5%
Santa Ana	NR
Oakland	5%

**33) What was the total number of code violation complaints in your jurisdiction during the last fiscal year for Building (for example, illegal construction)?**

Alameda County	100
Anaheim	240
Berkeley	47
Contra Costa Co.	NR
Fresno	NR
Glendale	NR
Long Beach	500
Pasadena	265
Sacramento	NR
San Jose	NR
Santa Ana	30-40mo.
Oakland	1300

**A) About what percent of these complaints actually resulted in inspections?**

Alameda County	100%
Anaheim	100%
Berkeley	100%
Contra Costa Co.	NR
Fresno	NR
Glendale	NR
Long Beach	100%
Pasadena	100%
Sacramento	NR
San Jose	NR
Santa Ana	100%
Oakland	100%

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**B) About what percent of these complaints resulted in citations for code violations?**

Alameda County	0%
Anaheim	2%
Berkeley	10%
Contra Costa Co.	NR
Fresno	NR
Glendale	NR
Long Beach	95%
Pasadena	0%
Sacramento	NR
San Jose	NR
Santa Ana	82%
Oakland	10%

**34) With regard to Code Violations, what is your average response time to citizen complaints?**

	<u>Same Day</u>	<u>Next Day</u>	<u>2-4 Days</u>	<u>5-7 Days</u>	<u>Over 7 Days</u>
Alameda County		1			
Anaheim				1	
Berkeley				1	
Contra Costa Co.				1	
Fresno		1			
Glendale		1			
Long Beach				1	
Pasadena		1			
Sacramento					1
San Jose					1
Santa Ana		1			
Oakland			1	1	

**35) Which types of citizen complaints receive the highest priority in terms of response time (for example, abandoned vehicles, unsecured holes in the ground, etc.)**

Alameda County	Health & safety building construction
Anaheim	Unsecured swimming pools, unsecured vacant buildings, substandard housing, public nuisance complaints, zoning complaints
Berkeley	Dangerous to the public - those which cause accidents - working without a permit
Contra Costa Co.	1) Hazard to life or health unfenced swimming pool 2) Construction without permit; 4) Abandoned structure 5) Fire Damage 6) All other building complaints
Fresno	1) Threat to the public health or safety. 2) Violations within 350-foot radius of property owner or occupied by the complaining party 3) All others
Glendale	Housing violations which are serious health and safety violations,
Long Beach	Complaints via City Council and/or City Manager
Pasadena	Dangerous conditions, Council/Manager complaints.
Sacramento	Dangerous conditions, Health & Safety
San Jose	Health and Safety (life threatening complaints.
Santa Ana	Hazardous and unsanitary conditions.
Oakland	Hazardous, illegal construction

**City of Oakland**  
**Permit processing, Construction Inspection, & Code Enforcement**  
**Survey Summary - July 1991**

36) Which of the following code violation enforcement mechanism do you use?

	<u>Liens</u>	<u>Citation</u>	<u>Mediation</u>	<u>Reinspectn Fees</u>	<u>Condemna- tion and Demolition</u>	<u>Adminis- trative Hearings</u>	<u>Filing of a Criminal Complaint for Muni Code Violations</u>
Alameda County	1	1		1	1	1	
Anaheim		1		1			1
Berkeley	1	1	1	1	1	1	
Contra Costa Co.	1	1	1		1	1	1
Fresno	1	1			1		1
Glendale	1	1			1		1
Long Beach	1	1	1	1	1	1	1
Pasadena	1	1	1	1	1	1	1
Sacramento	1	1		1	1	1	1
San Jose	1	1	1	1	1	1	1
Santa Ana	1	1	1		1	1	1
Oakland	1	1	1	1	1	1	1

37) Are any of your City Attorneys assigned exclusively to code enforcement?

	<u>Yes</u>	<u>No</u>
Alameda County		1
Anaheim		1
Berkeley	1	
Contra Costa Co.	1	
Fresno		1
Glendale	1	
Long Beach	1	
Pasadena		1
Sacramento		1
San Jose		1
Santa Ana	1	
Oakland		1

38) Do you have code enforcement fees?

	<u>Yes</u>	<u>No</u>
Alameda County		1
Anaheim	1	
Berkeley	1	
Contra Costa Co.		1
Fresno	1	
Glendale		1
Long Beach	1	
Pasadena		1
Sacramento		1
San Jose	1	
Santa Ana	1	
Oakland	1	



**City of Oakland**  
**Permit processing, Construction Inspection, & Code Enforcement**  
**Survey Summary - July 1991**

**A) At what point in the enforcement process are fees assessed?**

Alameda County	NR
Anaheim	Reinspection fees and impounding of newsracks after property owners have been notified of violations on their property, and when a third inspection is needed to check for complaints
Berkeley	NR
Contra Costa Co.	NR
Fresno	None for Zoning Code enforcement. Yes for housing - annual inspection program hourly rate/Notice and Order fee
Glendale	Proposed fees and fee recovery mechanism are being considered by council.
Long Beach	NR
Pasadena	
Sacramento	However we will have within 2-4 months
San Jose	NR
Santa Ana	Permit issuance and lien recordation
Oakland	Failure to comply, reinspection, or permit issuance.

**B) How do you collect the fees?**

Alameda County	NR
Anaheim	Accounting Department is notified in writing to bill property owner for third inspection.
Berkeley	NR
Contra Costa Co.	NR
Fresno	Billing and collection handled through Finance Department/collection agency
Glendale	NR
Long Beach	NR
Pasadena	NR
Sacramento	Direct billing collection with building permit small claims court
San Jose	Have a variety of fees, types and collection times vary with purpose.
Santa Ana	In conjunctional with permit fees & property tax
Oakland	Varies by enforcement agency. Generally, bill, lien, place on tax bill.

**39) What methods, if any, do you use to recover costs for code enforcement actions?**

	<u>Liens</u>	<u>Personal Obligations</u>	<u>Citations</u>	<u>Fee Charge</u>
Alameda County	NR			
Anaheim			1	1
Berkeley				Citation have fines attached - reinspection fees
Contra Costa Co.	1			1
Fresno	1			1
Glendale	1			1
Long Beach	1	1	1	1
Pasadena	1			
Sacramento	1		1	1
San Jose	1		1	1
Santa Ana	1		1	1
Oakland	1			1

**City of Oakland**  
**Permit processing, Construction Inspection, & Code Enforcement**  
**Survey Summary - July 1991**

40) What methods, if any, do you use to recover costs for inspections?

		<u>Towing Vehicles</u>	<u>Posting Properties</u>	<u>Hearings</u>	<u>Other</u>
Alameda County	NR				
Anaheim	NR				
Berkeley					Penalty fee- double permit fees
Contra Costa Co.	NR				
Fresno			1		
Glendale				1	
Long Beach					Collection of fees prior to permit issuance
Pasadena					Penalties if goes to enforcement hearing.
Sacramento					Building permit fees
San Jose					Civil settlement & citation sentencing orders
Santa Ana					Permits & reinspection fees
Oakland					Demolition proceedings, certificate of occupancy.

41) Are you providing training for your code enforcement employees with regard to ...

**A) Improving communication skills**

	<u>Yes</u>	<u>No</u>
Alameda County		NR
Anaheim	1	
Berkeley	1	
Contra Costa Co.		1
Fresno		1
Glendale	1	
Long Beach	1	
Pasadena	1	
Sacramento	1	
San Jose	1	
Santa Ana	1	
Oakland	1	

**B) Dealing with irate citizens**

	<u>Yes</u>	<u>No</u>
Alameda County		NR
Anaheim	1	
Berkeley	1	
Contra Costa Co.		1
Fresno		1
Glendale	1	
Long Beach	1	
Pasadena	1	
Sacramento	1	
San Jose	1	
Santa Ana	1	
Oakland	1	

**City of Oakland**  
**Permit processing, Construction Inspection, & Code Enforcement**  
**Survey Summary - July 1991**

**C) Safety**

	<u>Yes</u>	<u>No</u>	
Alameda County			NR
Anaheim	1		
Berkeley	1		
Contra Costa Co.		1	
Fresno		1	
Glendale	1		
Long Beach	1		
Pasadena	1		
Sacramento	1		
San Jose	1		
Santa Ana	1		
Oakland	1		

**D) Computers**

	<u>Yes</u>	<u>No</u>	
Alameda County			NR
Anaheim	1		
Berkeley	1		
Contra Costa Co.	1		
Fresno	1		
Glendale		1	
Long Beach	1		
Pasadena	1		
Sacramento	1		
San Jose		1	
Santa Ana	1		
Oakland	1		

**E) Procedures**

	<u>Yes</u>	<u>No</u>	
Alameda County			NR
Anaheim	1		
Berkeley	1		
Contra Costa Co.	1		
Fresno	1		
Glendale	1		
Long Beach	1		
Pasadena	1		
Sacramento	1		
San Jose	1		
Santa Ana	1		
Oakland	1		



**City of Oakland**  
**Permit processing, Construction Inspection, & Code Enforcement**  
**Survey Summary - July 1991**

**F) Laws and regulations**

	<u>Yes</u>	<u>No</u>	
Alameda County			NR
Anaheim	1		
Berkeley	1		
Contra Costa Co.	1		
Fresno	1		
Glendale	1		
Long Beach	1		
Pasadena	1		
Sacramento	1		
San Jose	1		
Santa Ana	1		
Oakland	1		

**G) Code interpretation**

	<u>Yes</u>	<u>No</u>	
Alameda County			NR
Anaheim	1		
Berkeley	1		
Contra Costa Co.	1		
Fresno	1		
Glendale	1		
Long Beach	1		
Pasadena	1		
Sacramento	1		
San Jose	1		
Santa Ana	1		
Oakland	1		

**42) Does your code enforcement department(s) have a method for becoming aware of regular updates on code changes/code interpretations?**

	<u>Yes</u>	<u>No</u>	
Alameda County			NR
Anaheim	1		
Berkeley	1		
Contra Costa Co.	1		
Fresno		1	
Glendale	1		
Long Beach	1		
Pasadena	1		
Sacramento	1		
San Jose	1		
Santa Ana	1		
Oakland	1		

**City of Oakland**  
**Permit processing, Construction Inspection, & Code Enforcement**  
**Survey Summary - July 1991**

**43) Does your jurisdiction have any special programs designed to inform the general public about code enforcement and increase their satisfaction with it? Please describe.**

Alameda County	NR
Anaheim	Neighborhood council groups meet monthly and one of the Code Enforcement staff members attend to speak on issues of interest, new laws an problem issues.
Berkeley	No
Contra Costa Co.	NR
Fresno	NR
Glendale	Regular feature in City Newsletter describing code regulations in Dear Abby type of format -- "Dear Neighborhood Services . . ."
Long Beach	None at this time other than our Intensified Code Enforcement program which is working in conjunction with community development in their neighborhood improvement strategy prog.
Pasadena	Regular attendance at neighborhood association meetings, annual "forums".
Sacramento	We are utilizing several publications by other agencies. Have developed "Neighborhood Challenge" program.
San Jose	Not in general, although our proactive programs have been successful in the target areas, and we participate in general City information.
Santa Ana	Handouts, personnel working out of police substations, inclusion in neighborhood associations, follow-up on complaints, etc.
Oakland	Community meetings, informational mailings.

**44) What code enforcement mechanisms do you believe are most effective?**

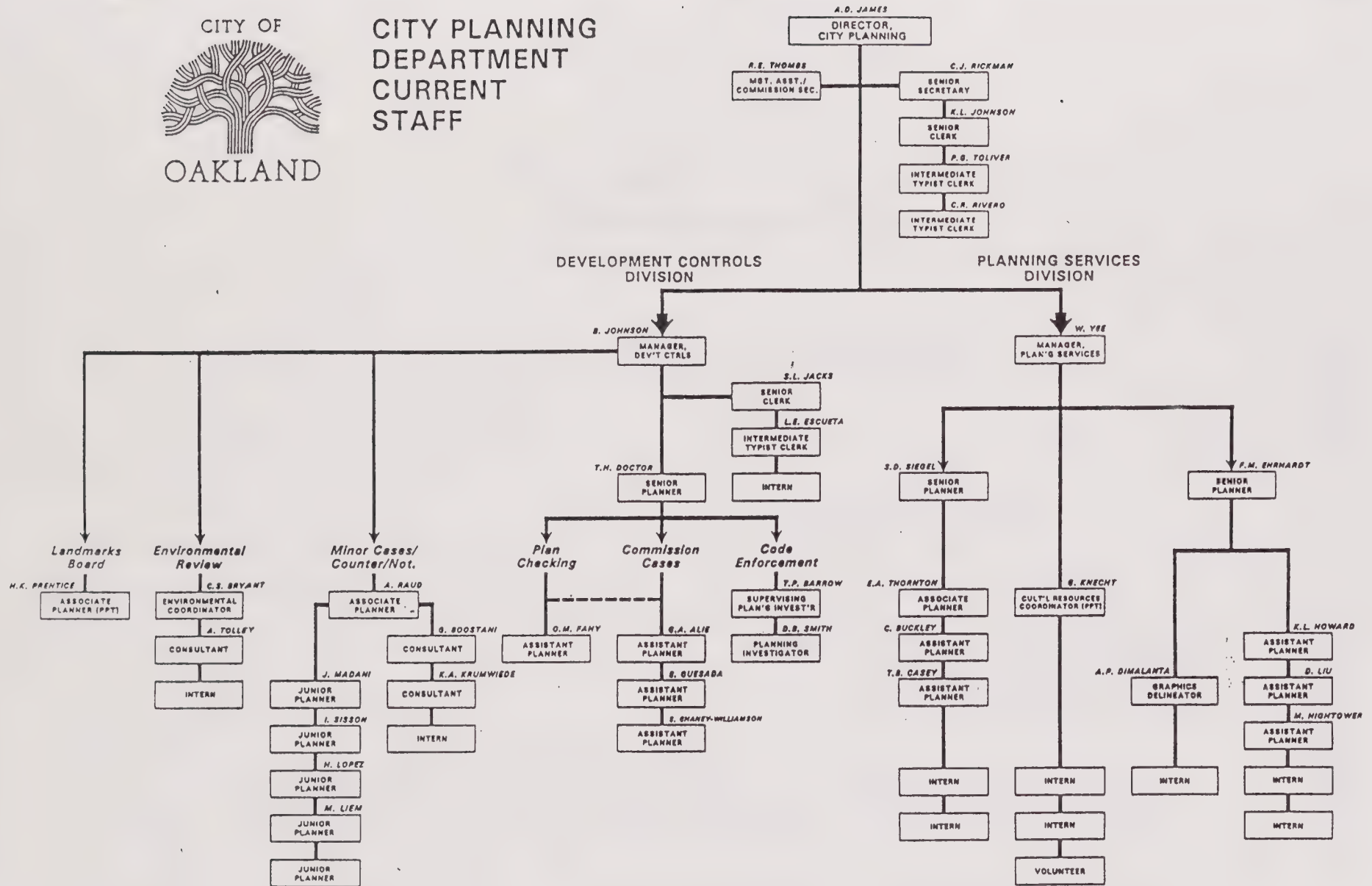
Alameda County	NR
Anaheim	Complaints are received and investigated. When violations are substantiated notice and orders to comply are issued. When violations are not corrected a citation is issued or a criminal complaint is filed against the responsible parties.
Berkeley	Citation & reinspection fees
Contra Costa Co.	NR
Fresno	Regular follow-up; Show Cause hearings with the City Attorney -
Glendale	Direct interaction between inspector and property owner. Human relations skills are the most important resources available in obtaining property owner compliance.
Long Beach	In cases of non-compliance, the use of the City Prosecutor's Office has proven effective
Pasadena	Personal contact and public awareness.
Sacramento	Notice & order to repair; Board hearings; communication between inspectors & landlords.
San Jose	1) combination of general complaint reseponse, targeted topics and proactive approach, using mechanism betst suited to resolving situation; 2) formal notice - simple persuasion resolve the majority of problems.
Santa Ana	Inclusion in neighborhood associations is an excellent forum for dialog between City staff and the public.
Oakland	Penalty fees, stop work orders, removal of violation, fee charge call-back.

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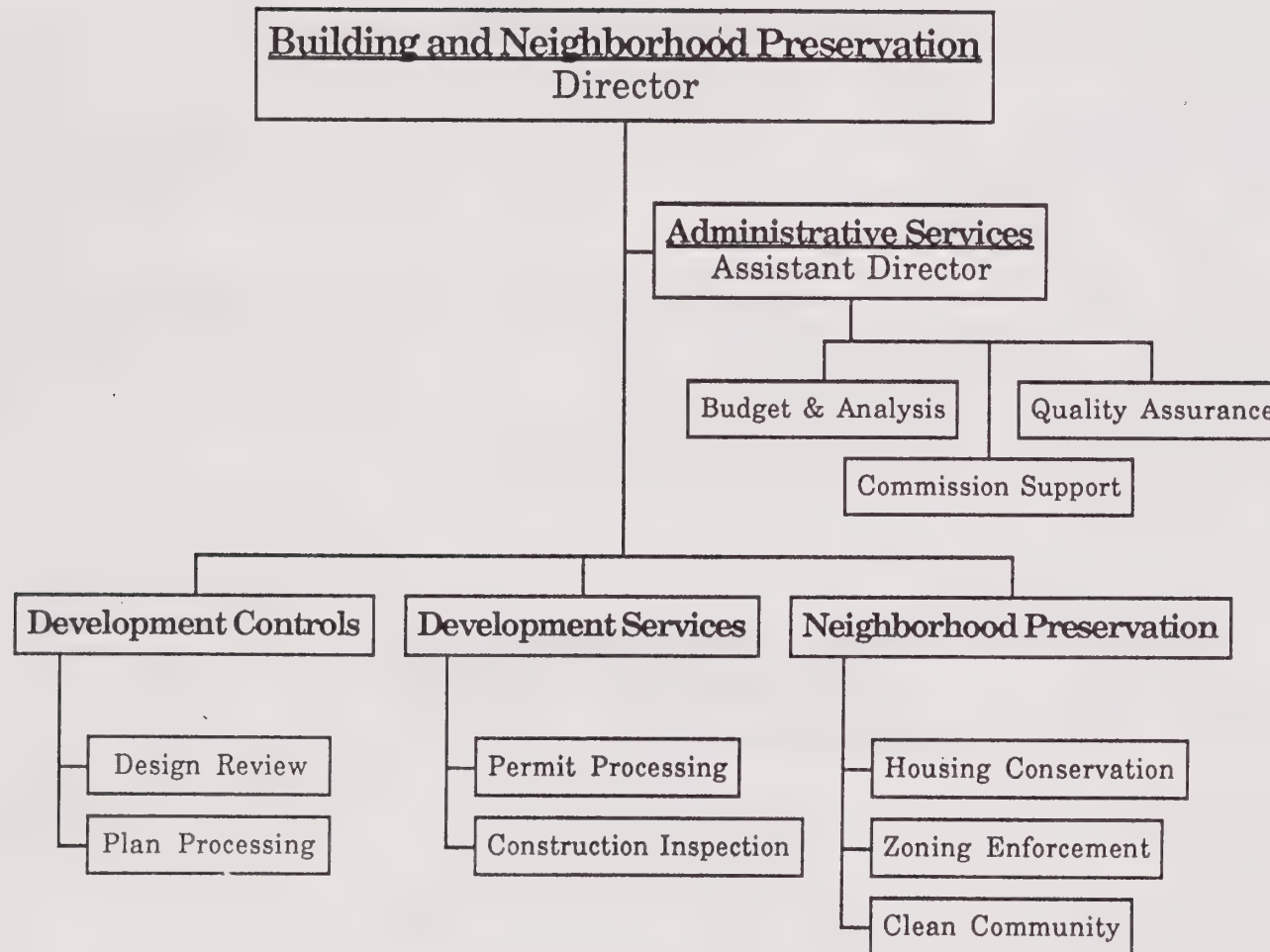


# CITY PLANNING DEPARTMENT CURRENT STAFF



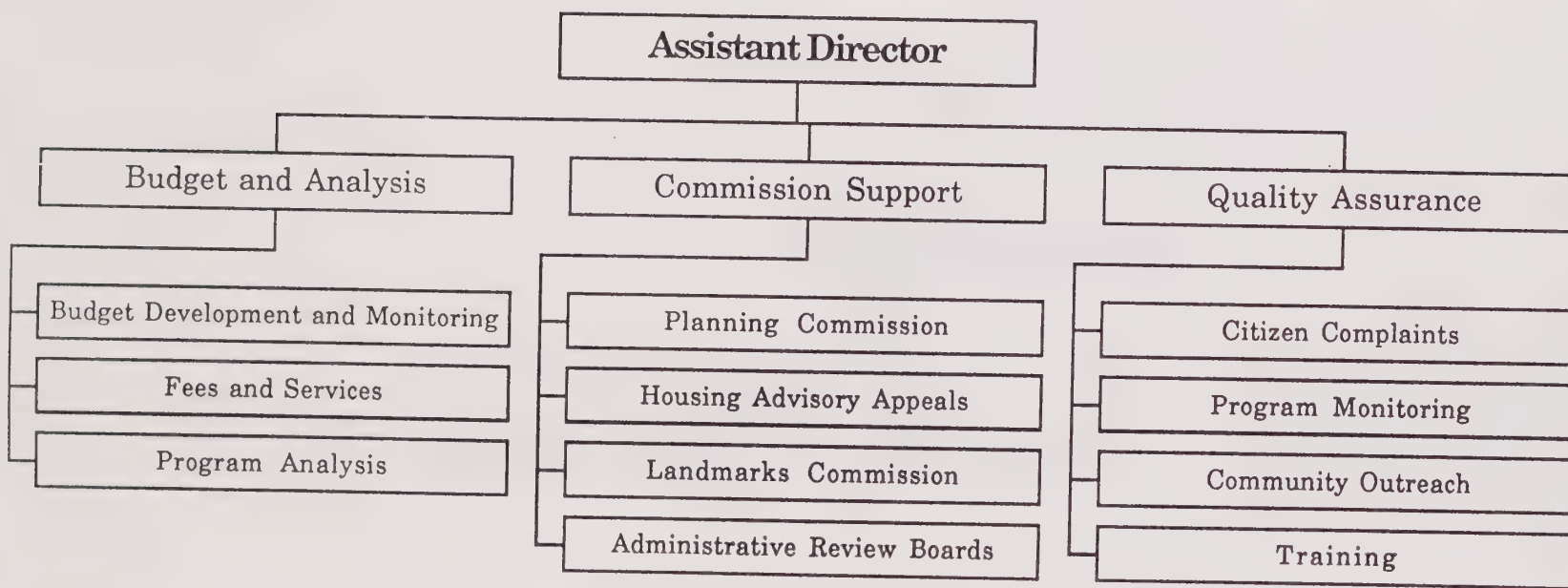
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City of Oakland  
Proposed Office of  
Building and  
Neighborhood  
Preservation Functional  
Organization-1991

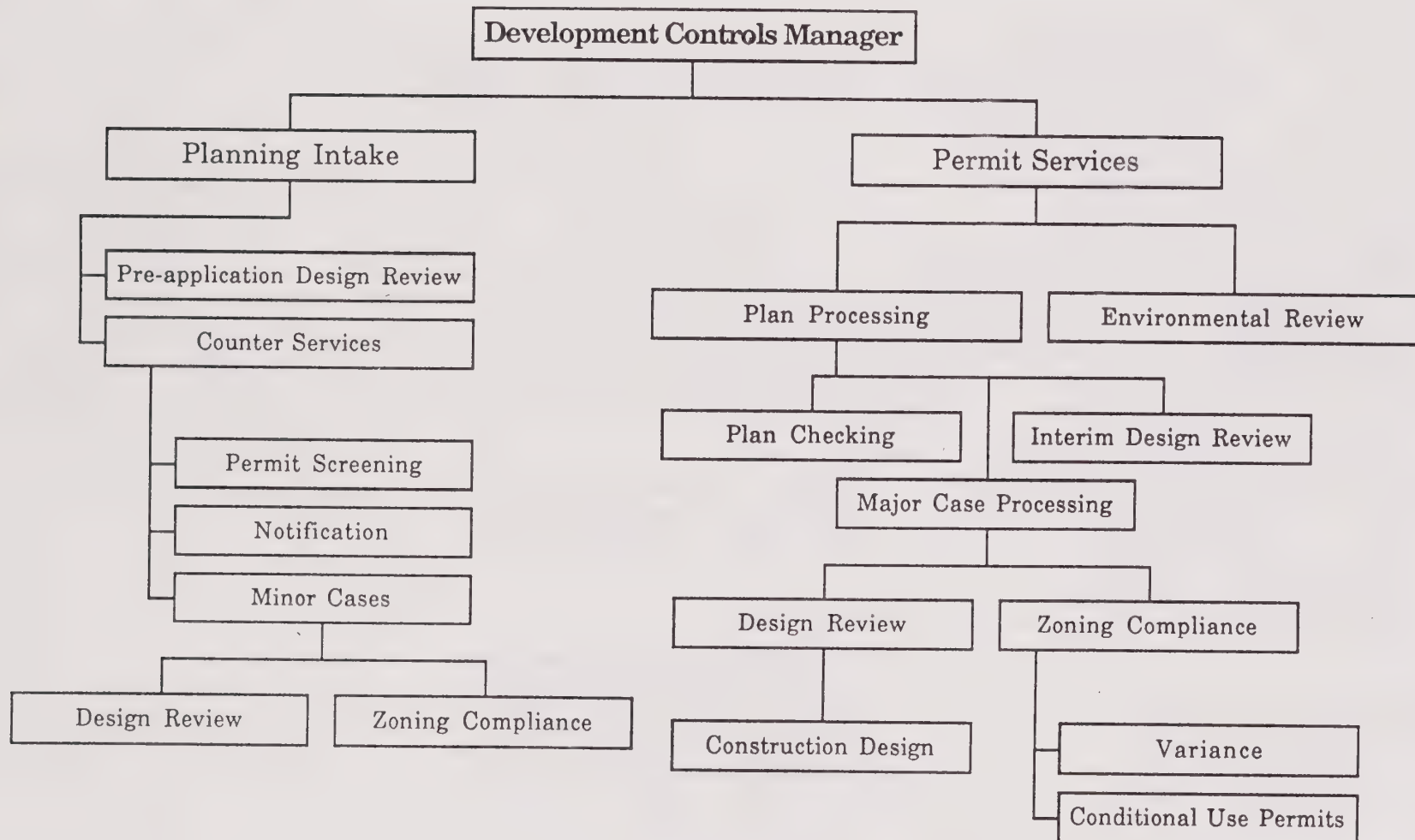




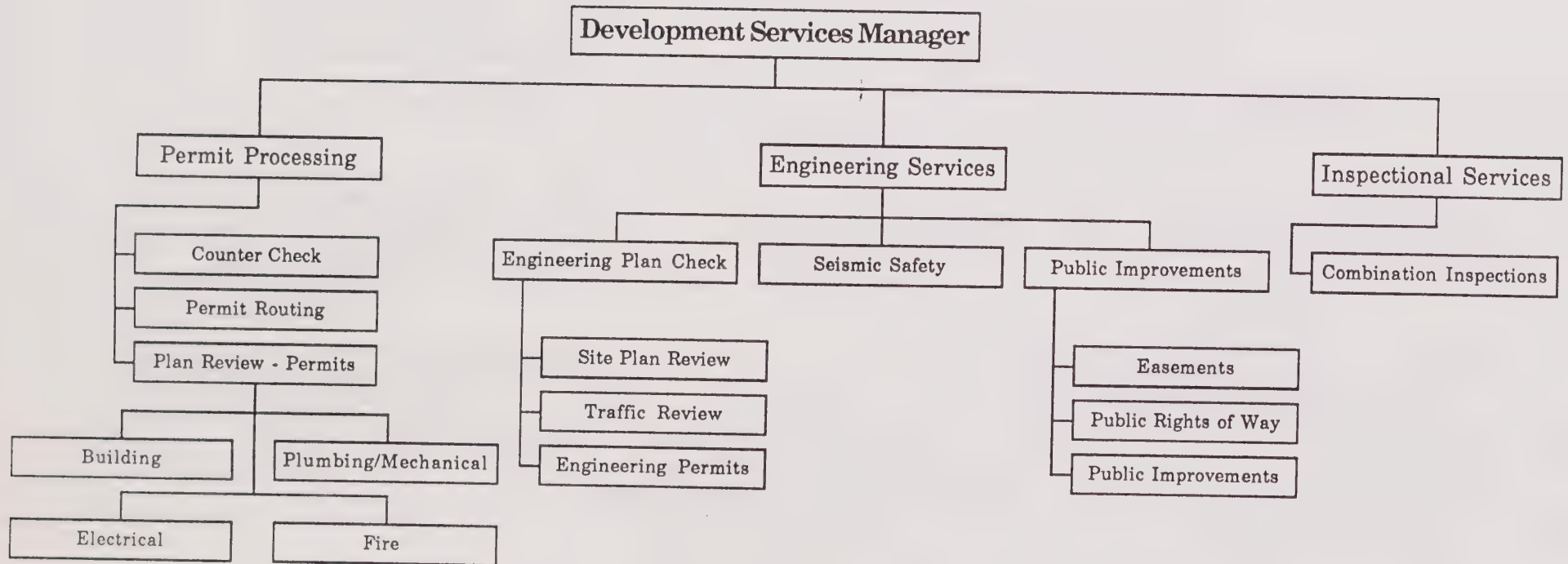
City of Oakland  
Proposed Office of  
Building and  
Neighborhood  
Preservation Functional  
Organization-1991  
Administrative Services Division



**City of Oakland  
Proposed Office of  
Building and  
Neighborhood  
Preservation Functional  
Organization-1991  
Development Controls Department**

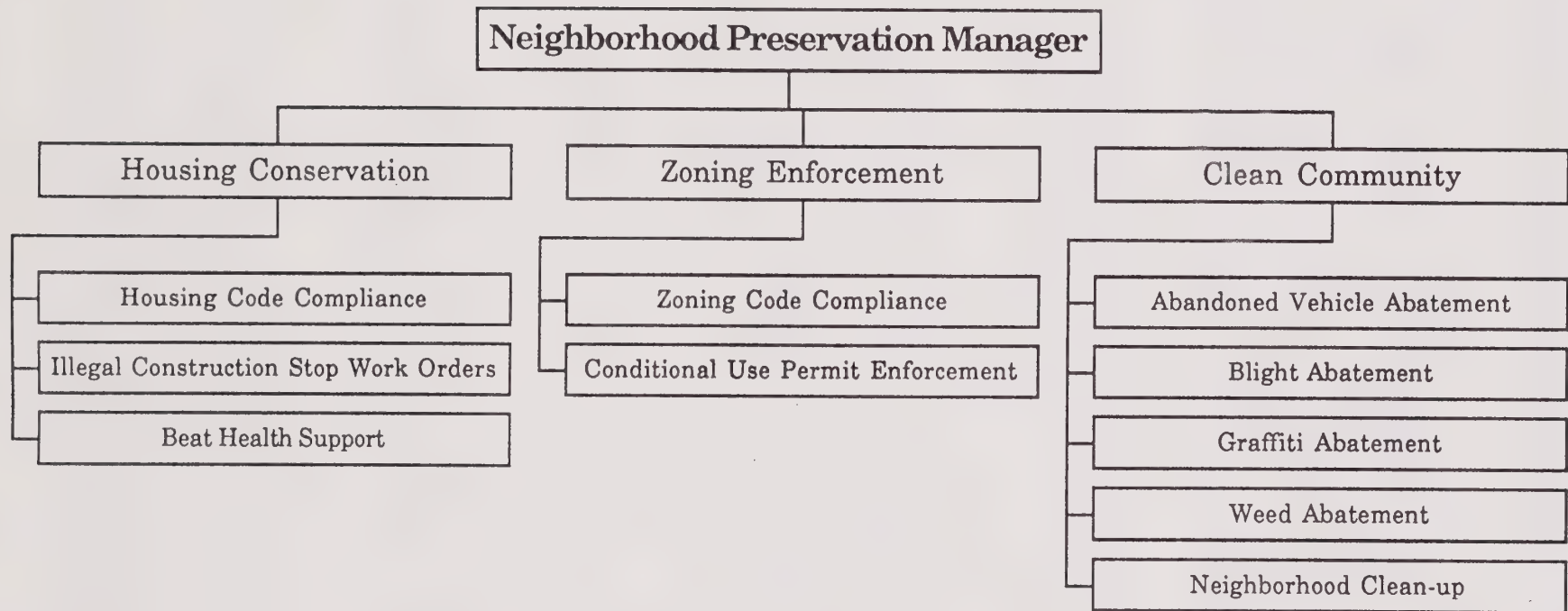


City of Oakland  
Proposed Office of Building  
and Neighborhood  
Preservation Functional  
Organization-1991  
Development Services Department





City of Oakland  
Proposed Office of  
Building and  
Neighborhood  
Preservation Functional  
Organization-1991  
Neighborhood Preservation  
Department



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To: Tom Dorn, Harvey Rose Co.

July 16, 1991

From Mary Weinstein, Librarian - CITYLINE Information

Subject: Citizen's Assistance Center

This report is in response to your proposal to enhance CITYLINE's functions to include a citizen's assistance center.

CITYLINE Information Service, a program of the Oakland Public Library currently answers 1800 questions a month about service available in Oakland. These services are provided by the City, by other governmental agencies such as the County, the State & the Federal Government, and by non-profit organizations. Approximately 81% of the referrals we make are to City departments.

We maintain a file on services available in the City. Last year we added that file to the Library's automated catalog system in a module called Community Information File. This information is available at all branches of the Library, and by dial-up from any computer with a modem. The Librarian maintains this file.

We do not have current statistics to show the breakdown of these calls into information inquiries (where do I go to...; or how do I...), requests for services (street light out, illegal dumping, weed abatement, housing code violation), or complaints (service not provided, citizen passed around to various people, phone not answered). Attached is a sample of the type of statistics we have collected in the past, indicating to whom we referred callers, but not what type of question they were asking. My estimate is that most calls are requests for information and requests for service, and a small percentage are complaints about City departments or staff.

Currently we direct all calls to the specific section in each department that handles the request. If it is appropriate to do so, we explain who the caller should talk to or how the service is set up.

We have one full-time Librarian, one half-time Library Assistant, and eight volunteers who each work 3.5 hour a week., for a total of 24 hours a week. Before the earthquake we answered 3,000 calls a month with a total of 15 volunteers, at 45 hour a week.

#### DEFINITION OF ASSISTANCE

The assistance center would provide consistent, courteous response to public enquiries and requests for assistance in order to provide citizen satisfaction with City service.

Inquiries would be handled without referral whenever possible. The staff would provide requested information, if available, or obtain it for the citizen. When specialized information is required, the citizen would be referred to a known source of information.



The Center would be complementary to standard processes operating within the departments and citizens encouraged to contact departments.

The assistance center would not be responsible for enforcement of departmental standards and policies. Problems between citizens and departments would be directed to the department or the City Manager's Office as appropriate. Complaints about City staff or departments would be referred to the appropriate department or the City Manager's Office.

#### REQUIREMENTS

In order to become a one-stop citizen's assistance center we should need:

- 1) service standards - clear policies, worked out by the departments, on services to be provided to citizens by the departments, including time lines for these services. Departments would notify CITYLINE when policies or services are changed.

- 2) expanded data base - expanded to include more detailed information about the services provided by the departments. All policies will be included in this data base.

- 3) computer program - a program on CityNet to allow us to be interactive with the departments: send requests for services directly to the departments; receive reports on actions taken; allow the departments to enter the requests for service they receive into the same system. This would allow duplicated requests to be caught and one set of statistics to be generated. This program would be developed or purchased by OCIS. OCIS would maintain the hardware and the software.

- 4) staff - Given the size of our City in comparison with those whose assistance center's reports I have seen, we will need at least 6 full-time paid staff members to: answer the requests for information; take the requests for service from citizens; record the information & pass it on to the departments; report back to the citizens; follow up on requests for service. The Library uses the classification Library Assistant to provide public contact on this level.

We would keep the Librarian to maintain the CITYLINE data base and expand it to include more information about the services provided. A part-time data entry operator would be needed to do input into the data base and assist in entering information into the City/Net data base.

A Senior Librarian would manage the service and maintain relations with the departments.

6) space - the space we currently have was designed for 4 staff members. We would need double this space for the expanded staff and equipment.

#### COSTS

Staff:		
Library Assistant	@\$33,015 x 6	198,090
Librarian	@\$43,607	43,607
Librarian, Senior	@\$47,608	47,608
Data Entry Operator	@\$30,115 x .5	15,058
TOTAL salary/benefits		\$ 304,363
Facility	1,654sf, rent & maintenance	44,658
Computers:	@\$4,480 x 6	26,880
printer - high volume laser	@\$3,000	3,000
TOTAL cost		\$ 379,901

This cost estimate does not include furniture or supplies.

Current operations:	salary/benefits	\$ 51,113
	OTM	51,713
TOTAL		\$ 102,826

cc Martin Gomes  
Marva DeLoach

# CITY OF OAKLAND

## Interoffice Letter

To: Distribution List Attention: \_\_\_\_\_ Date: December 5, 1989

From: Lella White, Director of Library Services  
For information call Mary Weinstein (444-CITY or 444-2489)

Subject: CITYLINE MONTHLY REPORT, OCTOBER 1989



TOTAL OCTOBER PUBLIC INQUIRIES..... 2,724  
 Telephone calls..... 2,397  
 Walk-in contacts at Room 108, City Hall... 327  
 Gold Cards issued to Seniors..... 3

Questions received at Cityline cover a wide range of concerns; approximately 50% of the questions cluster in specific subject areas. The following statistics represent the subjects most frequently asked about during October 1989.

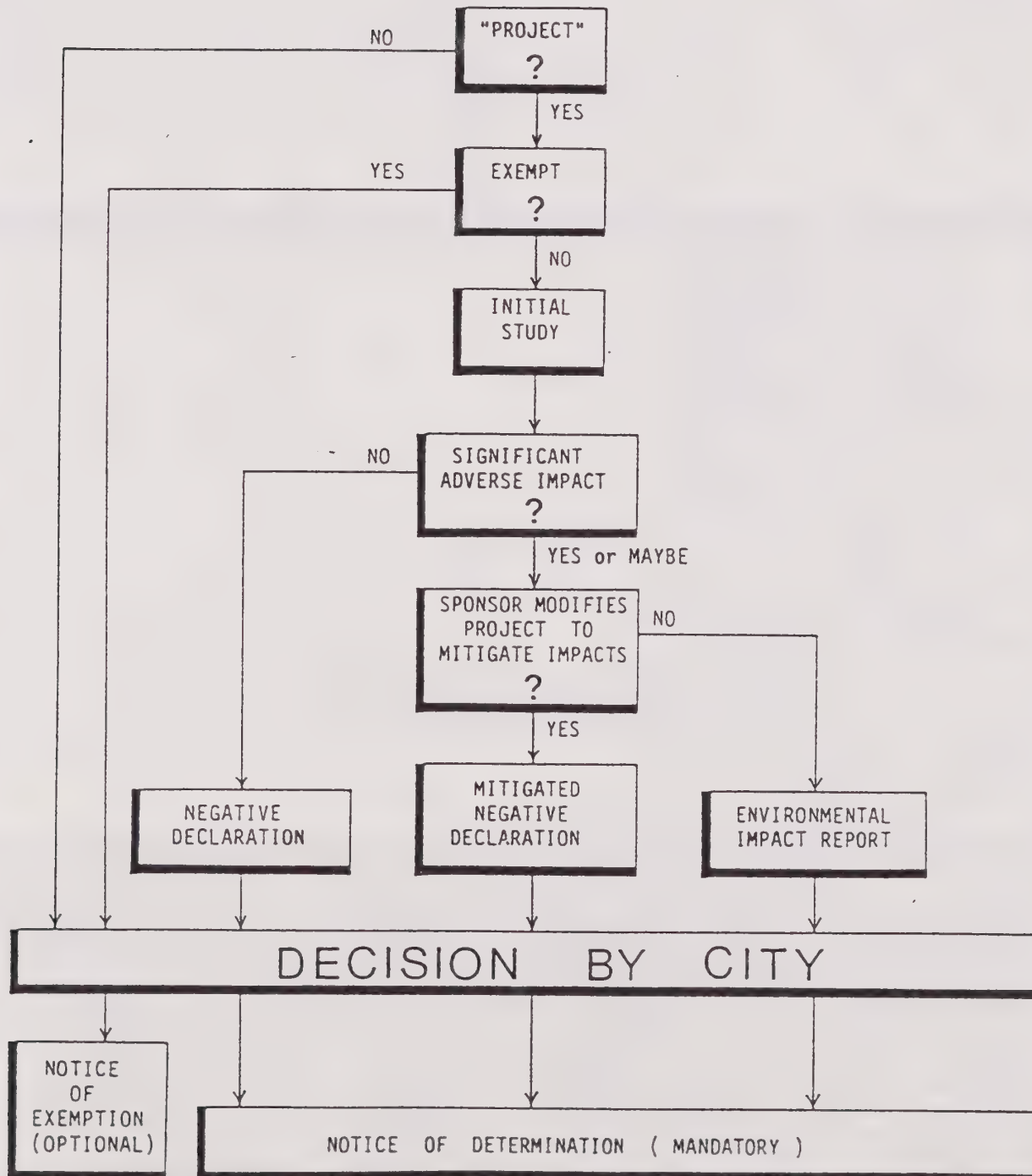
MOST FREQUENT REFERRALS	NO. OF REFERRALS
DEVELOPMENT SERVICES.....	383
Building, electrical and plumbing permits	
ALAMEDA COUNTY REFERRALS.....	160
Birth certificates, marriage license, property ownership information, courts, fictitious name applications, Department on Aging	
FINANCE OFFICE.....	159
Revenue Division, Accounts Payable, Payroll	
OFFICE OF COMMUNITY DEVELOPMENT.....	155
Housing loans, paint program, housing code violations, Residentail Rent Arbitration Board	
PERSONNEL RESOURCE MANAGEMENT.....	149
Employment opportunities, job listings, employment verification	
LIBRARY DEPARTMENT.....	112
Library services and branch library hours	
PUBLIC WORKS.....	107
Weed abatement, sewer maintenance, traffic engineering, street cleaning, street & sidewalk repair, contract compliance, City Architect, Clean Community Systems, Real Estate	
FEDERAL AGENCIES: HUD, FEMA, Social Security, IRS, Labor.....	90
CALIFORNIA STATE AGENCIES: DMV, ABC, EDD, Labor, Board of Equalization..	85

THERE WERE BETWEEN 30-80 INQUIRIES ON EACH OF THE FOLLOWING:

Office on Aging	Office of Economic Development	Office of Parks & Recreation
City Clerk	& Employment	
City Manager	Office of General Services	Police Department
City Planning	Mayor/City Council	



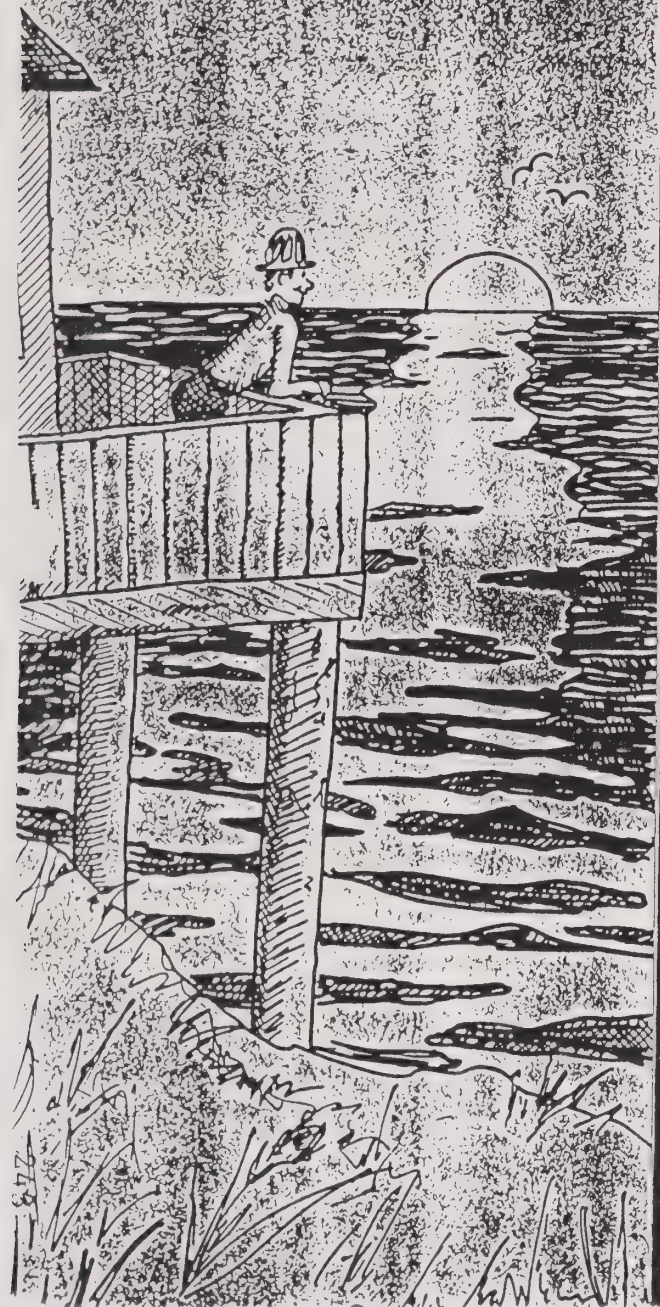
# Environmental Review Process Under CEQA



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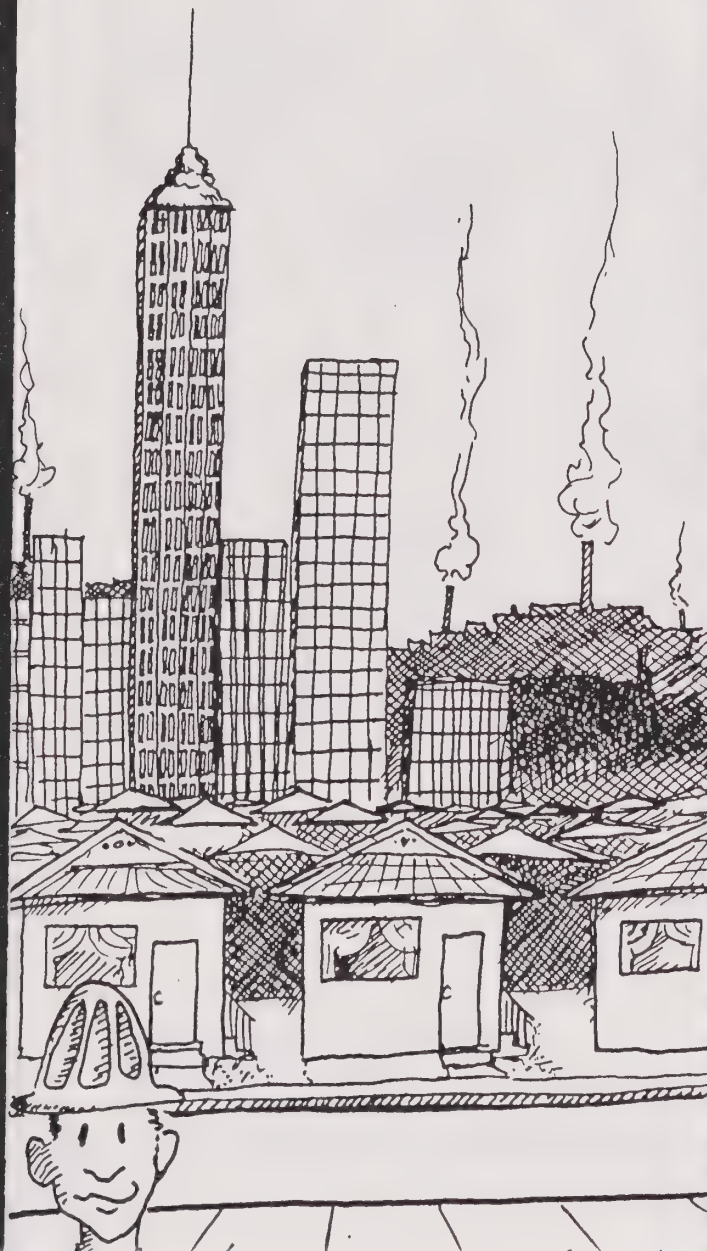
# COASTAL PERMIT

DEPARTMENT OF  
PLANNING & BUILDING



# SUBDIVISION

DEPARTMENT OF  
PLANNING & BUILDING



# ZONING

DEPARTMENT OF  
PLANNING & BUILDING





# CONDITIONAL USE PERMIT

DEPARTMENT OF  
PLANNING & BUILDING



# STANDARDS VARIANCE

DEPARTMENT OF  
PLANNING & BUILDING



# CERTIFICATES OF COMPLIANCE, LOT LINE ADJUSTMENTS AND LOT MERGERS

DEPARTMENT OF  
PLANNING & BUILDING



An application fee is charged to an *applicant* who appeals the denial of a Conditional Use Permit application. However, there is no fee to an interested party who appeals a decision to approve an application.

Further information can be obtained by calling (213) 590-6194 between 7:30 a.m. and 4:30 p.m. Monday through Friday.

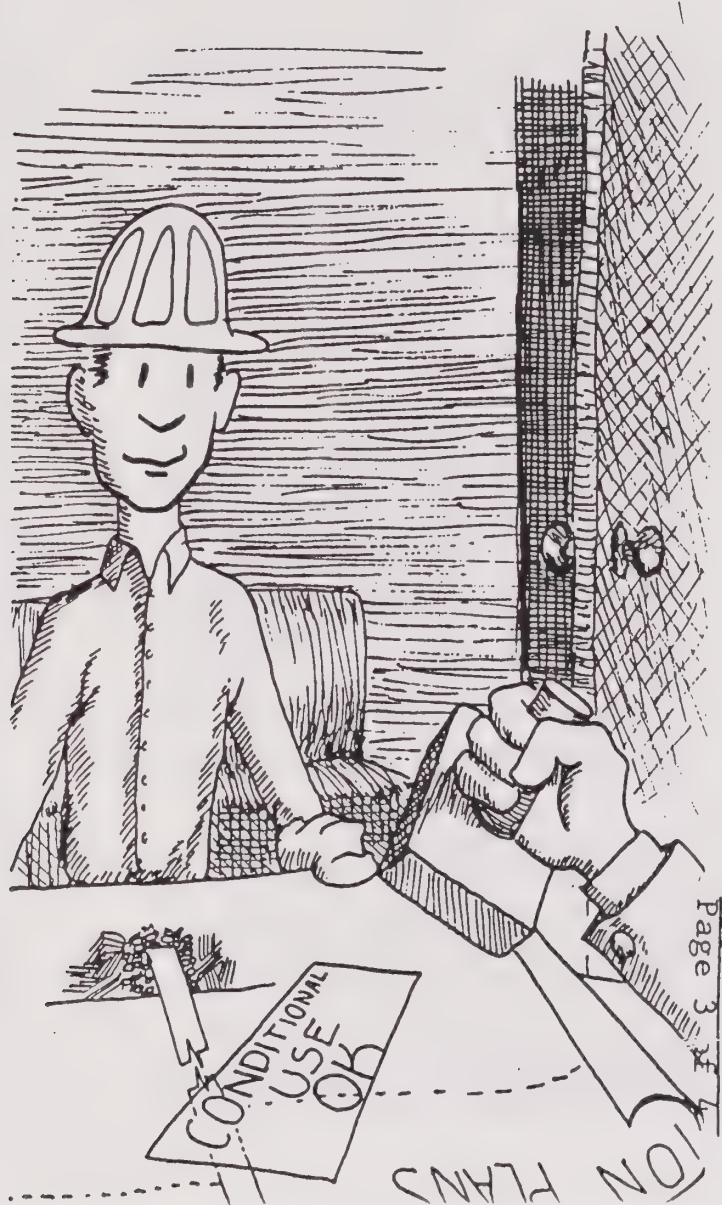
The information in this brochure summarizes the following section(s) of the Municipal Code: 21.93, 21.81, 21.84. Copies of the Municipal Code are available from the Office of the City Clerk on the first floor of City Hall.

Department of Planning & Building  
333 W. Ocean Blvd — 4th Floor  
Long Beach, California 90802

## CITY OF LONG BEACH

# CONDITIONAL USE PERMIT

DEPARTMENT OF  
PLANNING & BUILDING





# ■ CONDITIONAL USE PERMIT

246

## ■ WHAT IS A CONDITIONAL USE PERMIT?

A Conditional Use Permit allows the recipient to engage in specified activities or conduct a business under special conditions designed to protect the neighborhood and the community.

In Long Beach "zones" are used to separate incompatible land uses and to help achieve uniform development. The four basic zones are residential, commercial, institutional and industrial.

Each zone has permitted and prohibited uses. A conditional use is one which is either permitted or prohibited based on reasons specific to the proposed location. Each Conditional Use Permit application must be reviewed individually to determine if the proposed use can operate at a given location without harming its neighbors or the surrounding community.



In residential zones, daycare centers, parking lots, and churches are examples of conditional uses. In commercial zones, nightclubs and any business which requires a liquor license requires a Conditional Use Permit.

## ■ HOW DOES ONE APPLY?

Applications are available from the Department of Planning and Building on the fourth floor of City Hall. Multiple copies of the site plan, floor plan, elevations, and the city house numbering map are required. (A separate brochure called "What are Plans?" provides a detailed explanation of what is needed.)

## ■ WHAT ARE THE CHANCES THAT AN APPLICATION WILL BE APPROVED?

Whether or not an application is approved depends primarily on if the proposal meets the conditions for the proposed use. Conditions are created for each kind of conditional use to help determine if it can fit in with its surroundings and if special operating conditions are necessary to ensure that it remains a compatible use. For example, to obtain a Conditional Use Permit for a daycare center in a residential zone, a state license is required and the site must have sufficient building area, open space and parking. Additionally, the need for a daycare center at the given location is considered based on the number of existing daycare centers nearby. Finally, if a Conditional Use Permit for a daycare center is issued, limited hours of operation will be required to lessen the impact on neighboring properties.



A copy of the special conditions for a particular conditional use may be obtained by calling (213) 590-6194.

If the proposed conditional use meets the specific standards established for its category, then it will be reviewed for compliance with the general findings required for the approval of all Conditional Use Permits. The general findings are:

1. The plan for the proposed conditional use complies with the development standards for the zone in which it is located.
2. The use at a given location is desirable and will provide a service to the neighborhood, community, or city.

3. The use will not harm the health, safety or welfare of those living and working nearby and will not unduly inhibit development in the vicinity.
4. The use will conform to and carry out the intent of the Zoning, General Plan and Local Coastal Plan provisions for the site.
5. Adequate public facilities such as roads, sewers, and utilities exist or will be provided to serve the proposed use.

## ■ HOW IS THE APPLICATION PROCESSED?

After an application, plans and fees are received, a report is prepared for the Planning Commission. A notice of the request is posted on the property and all property owners within 300 feet (500' for major projects) are notified by mail. A public hearing is conducted and the application is approved or denied based on the information in the staff report and public testimony supporting or opposing the proposal. At the public hearing the applicant should be prepared to explain the request and answer any questions.

## ■ WHAT IF AN APPLICATION IS DENIED?

If a Conditional Use Permit Application is denied, the applicant is entitled to an appeal to the City Council. Any appeals must be filed within ten days of the decision.

It is important to know that if an application is approved, it does not become final for ten days. During this time neighbors may file an appeal to reverse a decision approving a Conditional Use Permit Application.

## ■ HOW MUCH DOES IT COST?

A current fee schedule is available from the Department of Planning and Building on the fourth floor of City Hall or a copy may be obtained by calling the number listed below. The fees are not refundable because they cover the cost of processing the application.



## CHECK LIST FOR PLAN REVIEW

R3: Houses, Up to Two Families

## 1. Check Access.

Must have an all weather surfaced road to within at least 150 feet of the building. If road is deadend, it must have a turn-about. Watch hill lots for access from other than the front street. (Normally, we respond the same way as they park their car.)

## 2. Check Fire Hydrant Location and Flow.

Must be at least 1000 gpm at 20 psi and located within 500 ft. of all portions of exterior of building, measured as hose would be laid. (500 gpm acceptable if house is sprinklered to at least Oakland Level II)

3. Check to see if in North Oakland Hills Specific Plan area (S-11)

Mark plan "In North Oakland Plan Area" for various requirements including 1 HR rated exterior walls within 15 feet of property lines and rated undersides of decks and roof overhangs, by Development Services Department. If in area beyond four minutes response (shown in yellow on our map) then building will require fire sprinklers. Mark on plans, stamp with "Permit Required...", and advise owner. Put "Hold Request" on plans, copy to Development Services, copy to our file. (Note: 1HR walls and deck treatment is not required if building is sprinklered to at least Oakland Level II.)

## 4. Check Roofing.

In Hazardous Fire area, it must be class C or better. (Eliminates untreated wood shingles or shakes.)

## 5. Check Smoke Detectors.

Must be "hard wired" located outside of each sleeping area, on each floor, and in basements. Must be interconnected if more than one required. (Note 1991 UBC will also require one inside each sleeping area. Now a recommendation.)

## 6. Check Height for Sprinklers.

Four story buildings require fire sprinklers (designed to at least Oakland Level II). Note definitions of "story" in OBC (sec. 420). Basically, if area below the finished floor is more than 12 feet above grade at any point, OR more than 6 feet above grade for more than 50% of the perimeter, then counts as an additional story.

Three story and taller buildings require two legal exits.

## 7. Check Distance to Property Line.

Walls located less than 3 feet to property line (except to street side) require 1 HR rating, parapetted, with no openings.

## 8. Check Separation between units.

Must be 1 HR rated if more than one unit in building.

## 9. Check Separation to Attached Garage.

ONE HOUR CONSTRUCTION separating  
House from Garage including  
Fire Rated DOOR (or eq.) with CLOSER

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Building Inspection District

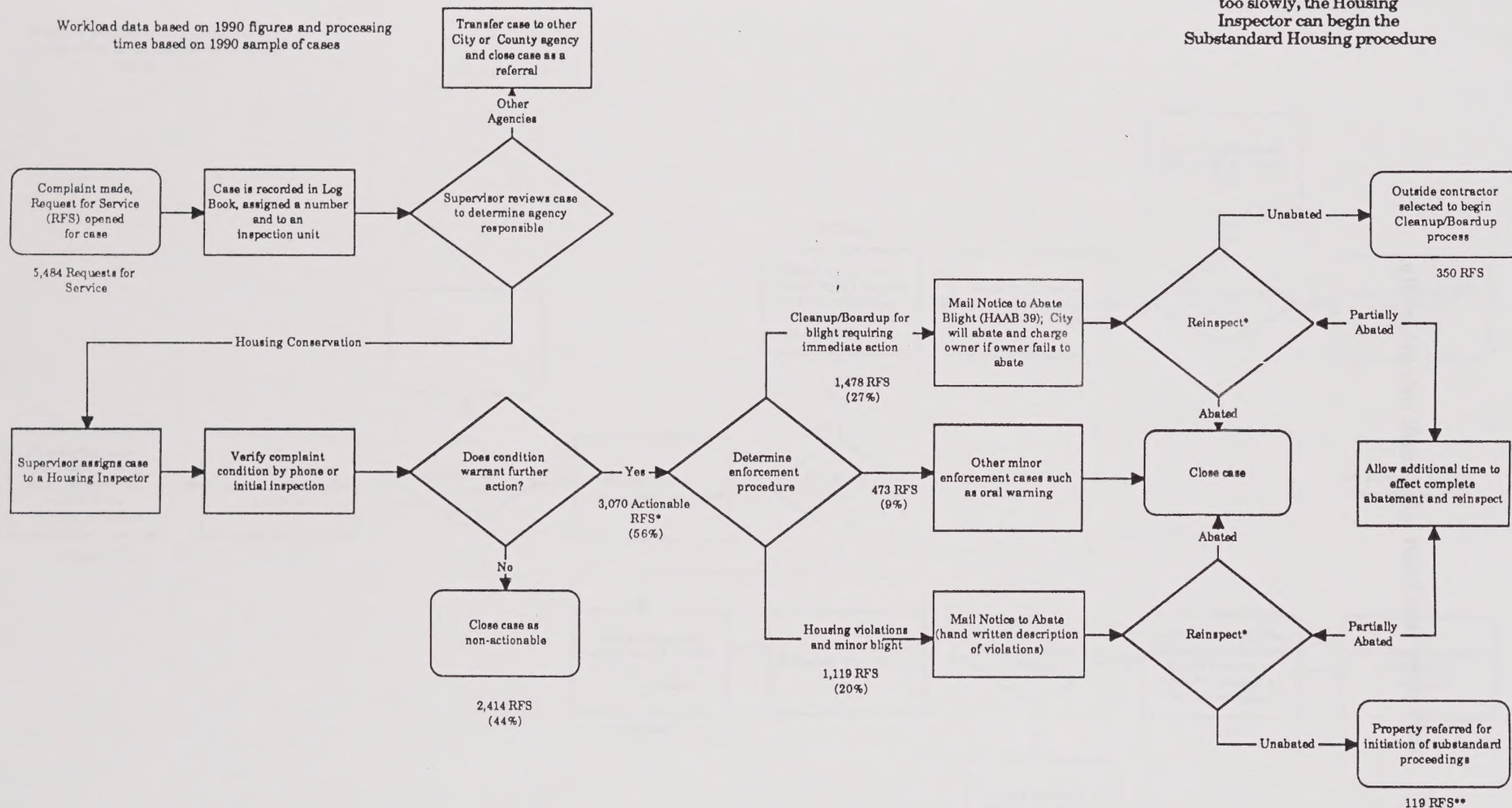




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# HOUSING CONSERVATION SECTION COMPLAINT ABATEMENT PROCEDURE

Workload data based on 1990 figures and processing times based on 1990 sample of cases



\* Reinspect normally after ten days or after three days for a Hazardous violation. Maximum interval is thirty days.

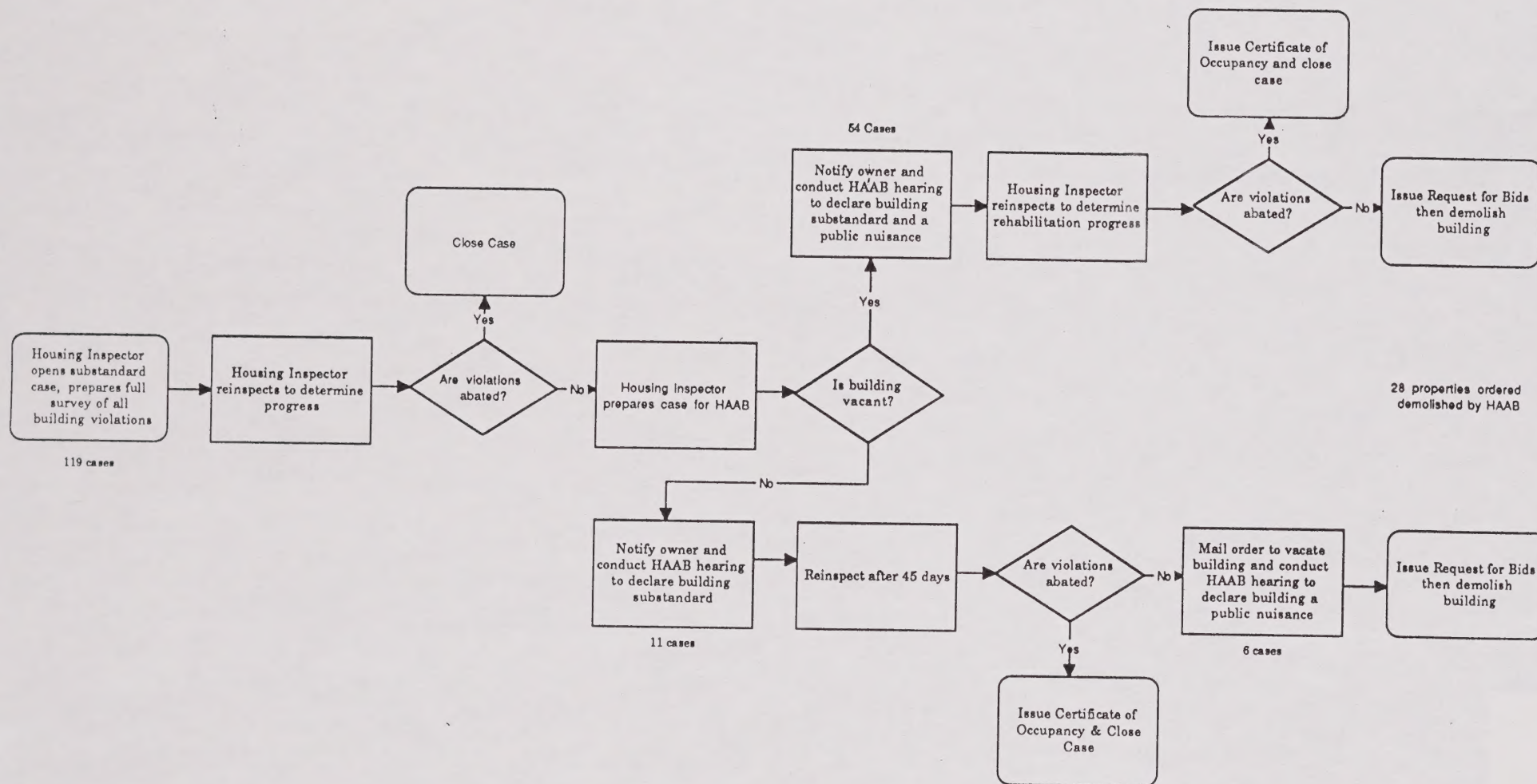
\*\* Properties considered for substandard process not necessarily all referred through Notice to Abate

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# HOUSING CONSERVATION SECTION SUBSTANDARD HOUSING PROCEDURE

Workload data based on 1990 figures and  
HAAB action is not necessarily for cases  
opened in 1990





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